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THE WYOMING GAME STRONGHOLD

By Frederic Irland

PHOTOGRAPHS BY STEPHEN N. LEEK AND THE AUTHOR

THERE is yet a region within the domain of the United States where undisturbed the wild goose makes her nest, and where the spirit of the wilderness smiles down serene as in the days of old.

Elk, antelope, and deer have been so long banished from many Western States that most people imagine they belong only to a past that can never be recalled. But if you would behold something very like the sights witnessed by the first explorers of the West; if you would see antelope by hundreds and wapiti by thousands, go to the great valley in Wyoming between the Shoshone and Wind River Mountains on the east, and the Tetons on the west. I was there for two months in the spring of 1903, and if I had not taken many photographs, I should doubt my own recollection of the vast numbers of these animals I saw.

When Francis Parkman spent a summer with the Ogalala Sioux in 1846, they told him of a country to the west, inhabited by their enemies, the Snakes. Into that mountain fortress the Sioux dared not go, and when their buffalo hunting took them near it, they went home again as soon as possible. The Snake Indians occupied what is now the western half of Wyoming, and although warlike tribes surrounded them, they protected their domain and punished every intruder. At the present time there are some ranches scattered over this region, but there are fewer people in it than in any other considerable part of the United States. When you have been through this country you will understand why it was so easy for the old Snake Indians to keep other people out, and also why it is that the tide of modern settlement has not overwhelmed it.

The stage ride from Rawlins to the farthest post-office at the head of Wind River is two hundred and fifty miles, and except at the little town of Lander and the military post at Fort Washakie you will not see fifty human faces on the entire journey of four days. It is in the heart of the arid region, and seems likely to remain the home of the jack rabbit, the coyote, and the sage hen. After you have crossed this desert, you have the mountains to penetrate, and long after summer has resumed its sway in most of the United States, the passes in these ranges are filled with snow. The valley between the Wind River and the Tetons is cut off from the rest of the world for more than six months each year, except to those willing to follow the mail carrier who pilots a pack-horse over the Teton Pass. I spent nearly a month trying to find a way to cross the Shoshone Mountains before the first of June, but the guides who lived in that country finally gave it up, and I had to go back to Rawlins and around by the railroad to St. Anthony in Idaho, a distance of eight hundred miles, before I could get where I wanted to go, to see the winter assemblage of the wapiti. In summer the elk are scattered through the mountains

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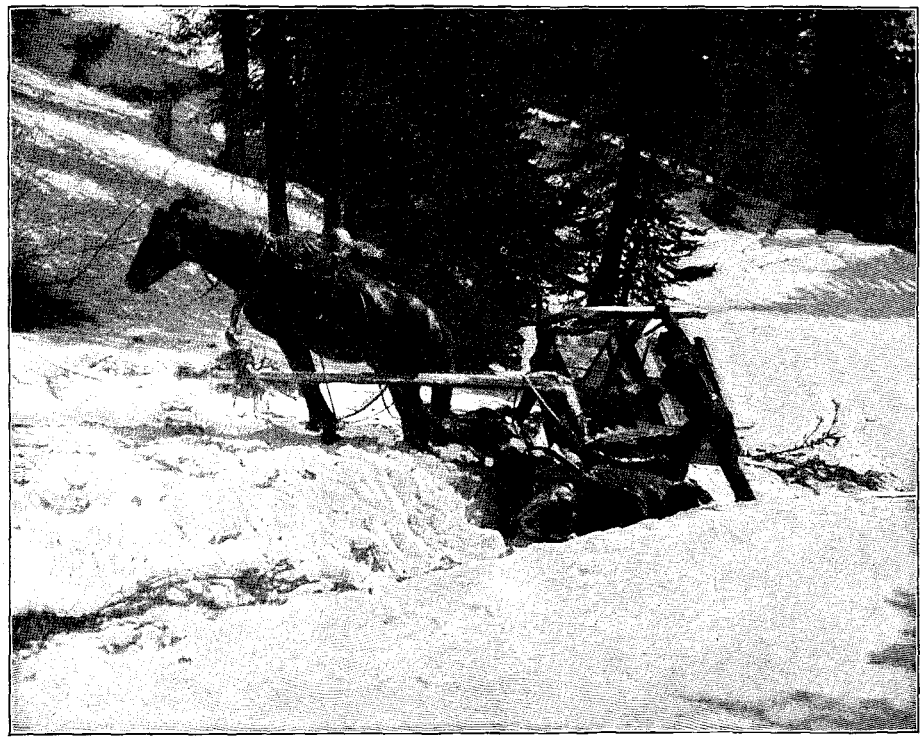

The horses were in trouble most of the time.

in small bunches, but in the winter and spring, while the snow is deep on the high ranges, they stay in the lower foothills, and anybody who cares to do so can leave New York City on a Monday morning, and the next Monday afternoon be where he can see a thousand elk in a day without half trying.

The train that runs from Idaho Falls to St. Anthony is due to go at 10.30 A.M., but it waits for the local freight from Ogden. About two in the afternoon it starts, dragging a few reluctant freight cars with it. By four o'clock it has arrived at St. Anthony, and the Teton stage has gone two hours ago. To-morrow being Saturday there will be no stage, and if you are accustomed to travelling by schedule you will not like the methods of the West. As soon as you enter the land of the buck-board and the saddle-horse you should arrange to do things by the week or month, and never mind the loss of a day or two.

The stage stops at the foot of the Teton Pass, so you must hire a saddle-horse from the local liveryman, and be responsible for your own safekeeping thereafter. The mail carrier goes on horseback, and if you wish you may follow his track in the snow. At first there is a road that is not hard to follow; but when you have climbed half way up the valley you find nothing except a single horse track, beaten down after each storm, with snow ten feet deep on either side. If the horse steps off the narrow trail he flounders neck deep. The mail carrier sends the pack-horse ahead of him, and so is warned where the soft places are. When the snow is melting in the spring, the water cuts holes beneath the surface, so there are hidden caves and pitfalls into which the horse sometimes falls out of sight. If you keep discreetly in the rear you will get plenty of entertainment watching the horses and the boy ahead of you; and if they succeed in weakening the snow so that your own horse takes an unexpected plunge, you will have some amusement on your own account.

When the situation gets too precarious for saddle-horses the mail carrier breaks the road with a sled. I went over with him on the first trip of that kind this year, and it took all day to go ten miles. The horses

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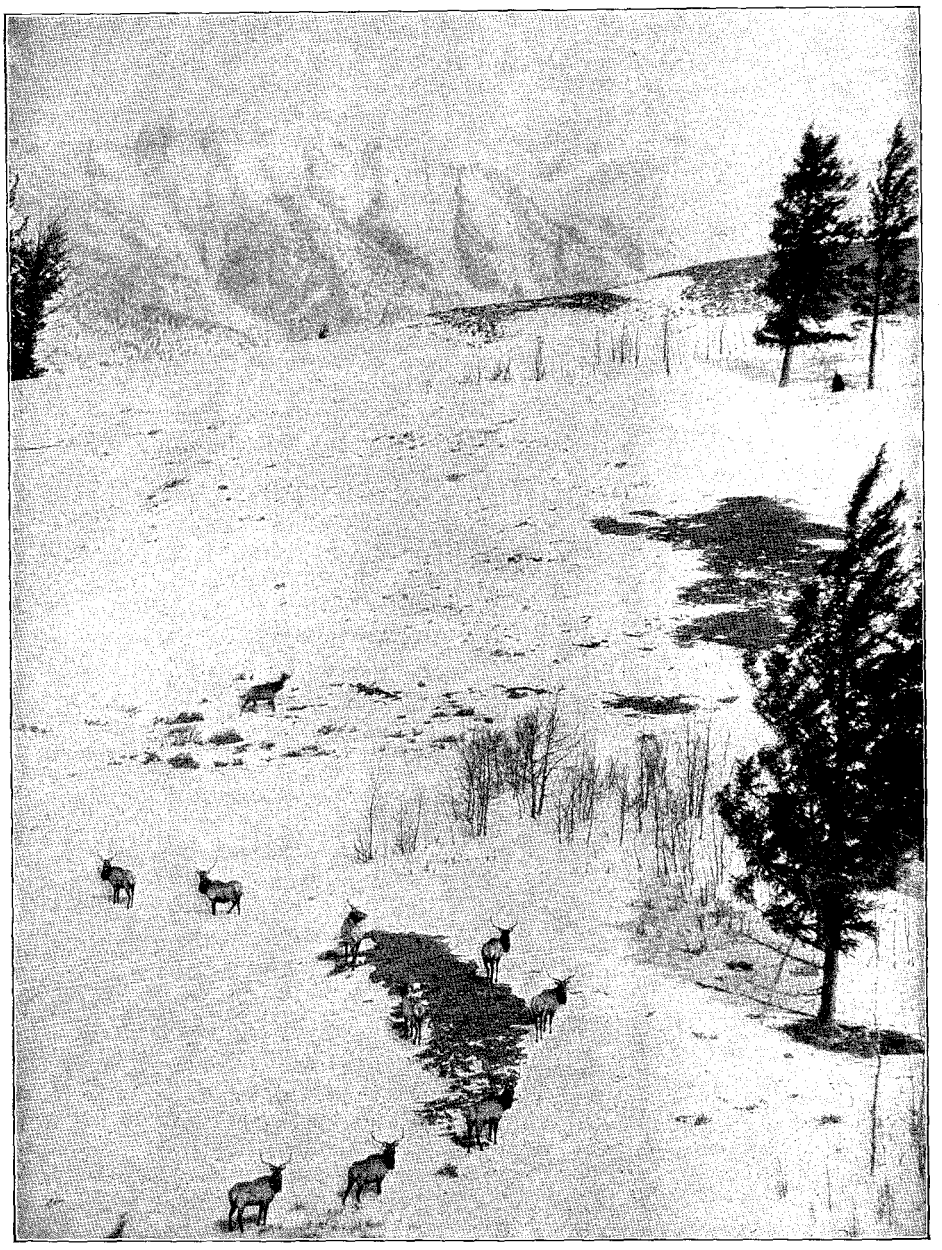

Eight bull elk.—Page 266.

were in trouble most of the time, and when one of them would fall in too far and get discouraged, the boy would fasten a rope and haul him out by the neck with the help of the other animal. At this time of the year you cannot carry any baggage across the pass, and will be glad when you get yourself over it.

When I had survived the snowy journey, and gone on to the post-office at Jackson, I told the first man I met that I wanted to make some photographs of the elk. "Well," he said, "probably we can see a few bunches right here from the house." So we took a field-glass and looked at the nearest mountain side, and sure enough in

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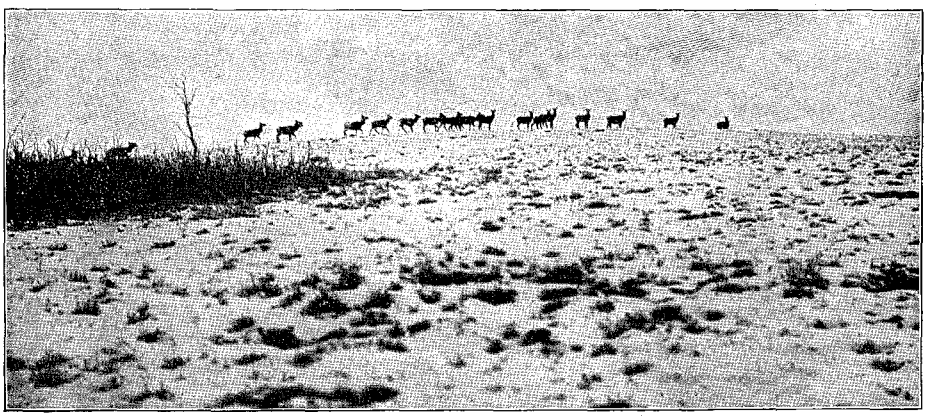

A small bunch of elk.—Page 264.

less than a minute we discovered a number of elk quietly feeding, a couple of miles away, on the green grass at the edge of the melting snow. We counted them and there were thirty-seven. "That is only a little bunch," said the man. "A month ago you could have seen hundreds of them all around here; but now if you wish to see five hundred or a thousand at once you will have to go up the valley a few miles. They work up to the higher ranges as fast as the snow melts."

So the next day I went seven miles up the valley to the ranch of Frank Petersen, and told him I wanted to get near enough to elk to photograph some of them. He said it was too late to go to-day, but to-morrow we would go, and he thought there would be no trouble in making all the pictures I wanted. He said the new grass was making the elk feel pretty good now, and it was harder to get near them than it would have been when the snow was deeper.

Petersen lives on Flat Creek, under the shadow of the Tetons. He has a right to feel proud of those peaks, because he was one of the two guides who accompanied Mr. Owens and Mr. Spalding when, after attempting it for three successive summers, they finally succeeded in climbing to the top of the Grand Teton five years ago. In the corral back of his log house Petersen has a dozen young elk which he rescued from starvation near his ranch last winter. Elk like hay as well as cattle do, and the most serious trouble ranchmen have is to protect their haystacks. Every stack is surrounded by a high pole fence, but the elk often knock the fences down in the night. I talked with two or three men whose task last winter was to sleep in the haystacks to drive away the elk. When wapiti get a taste of good hay, they seem to lose all idea of going back to the foothills to find feed for themselves. As one of the ranchmen expressed it, "They stand around and mourn, and hope to get another chance at the haystack, until some of the weaker ones starve." It has been suggested that there ought to be a provision in the Wyoming game law making it a misdemeanor for anyone to let his haystack go unprotected, because when the winter is very severe a taste of hay is almost sure to be followed by the starvation of some of the elk. Last winter was unusually severe, and some of the calves, trailing along behind the older animals, unable to find good feed, died for want of it. Nearly all these deaths from starvation occurred right among the ranches, within a few miles of Jackson. There were so many dead elk along Flat Creek that the water was unfit to drink this spring; but scarcely any dead animals were found on the wilderness range.

The next day after I went to Petersen's we started out with the camera. It was a beautiful spring morning. The low-lands were covered with fresh grass, and hundreds of cattle were grazing all about. The bare foothills rolled away in every direction, like billows in a green ocean. On the east rose the snowy peaks of the Gros Ventre range, their white sides contrasting strongly with the black patches of the timber. On the west the precipitous wall of the Tetons barred out the world.

Pretty soon we left the ranches and the

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We got a long procession of them started toward a high peak.—Page 264.

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cattle behind us, and began to climb up among the foothills. I had been hearing about elk for a month when I was in the Wind River country. The people in Idaho, west of the Tetons, thought they knew something about elk. The nearer I came to Jackson, the more I heard about elk. It is against the law to sell elk tusks in Wyoming, but almost every man I met had privately exhibited to me at least one pair of these beautiful teeth; of course not for the purpose of selling them, but to show what a really fine pair looked like. Everybody in that country had talked about elk, in the same way that Gloucester people talk about codfish, or New York brokers about stocks. But before I had been with Petersen two hours I learned more about elk than I had dreamed of knowing. I saw them on every hillside.

As we were riding along Petersen called my attention to a hill ahead of us covered with yellow specks. We took the field-glasses and looked. The hill resolved itself into what would be a respectable mountain in the Adirondacks, and the yellow specks became elk. Some of them were lying down and some of them were feeding. I could see the curve of their necks and their long ears. All the larger bulls had shed their antlers, but here and there a young spike-horn still retained his head-piece.

The elk were perhaps a mile away, but Petersen said we could ride within two hundred yards of them, and then we would see if we could get nearer by creeping up.

The trail along which we rode was deeply cut. It was made by hundreds of elk that had gone over it within a day or two. We rode for perhaps half a mile, and suddenly we saw a small bunch of elk running along the next ridge, their outlines clear and sharp against the sky. They were a hundred yards away. I jumped off my horse, opened my camera, and made my first photograph of elk. This was not the band we had seen on the farther hillside, but an incidental bunch that we had overlooked.

By the time we got to the far side of the ridge where we expected to leave our horses, dark clouds began to obscure the sun, and in a few minutes it was snowing briskly. Making pictures was out of the question, so we rode to the top and sat looking at the elk scattered out in front of us. We began counting them, and as nearly as we could tell there were about three hundred and fifty in sight. We had not been against the sky line very long before some of the elk began to stand up and look, and soon the entire audience gave us their undivided attention. Some of them ran back and forth, as if they did not know where to go, but finally an old cow took the lead. All the others fell in behind her, and they sailed away in a long irregular line, running toward higher ground. Petersen told me to come on, and I galloped after him as hard as I could. By taking a short cut we came right among them, separating them into two divisions. They ran hither and thither in great confusion, the whole crowd turning now this way and now that, like frightened sheep. The pattering of a thousand hoofs blended into a deep bass note, the music of which was never to be forgotten. Finally part of them went one way and part another, and for a long time we watched them, until they disappeared over a far-away hillside. It snowed nearly all the afternoon, and so any further picture making was out of the question for that day; but we made a wide circuit to see where the elk were, and at scarcely any time during the whole afternoon were we out of sight of them somewhere. Petersen said that when the snow had gone from the high mountains there would not be an elk within twenty miles of his ranch, and then they would not come down again until the next winter.

The following day was bright, and we saw elk until I felt as if I had been seeing them always. It was astonishing how soon I began to take their presence almost as a matter of course. It was easier to find places where they were than where they were not. But what I wanted was to get them at close range, with the snow for a background, so we could photograph them well. The elk seemed to have ideas of their own on this subject, and while I could repeatedly get within easy rifle-range, and could sometimes surprise a group of them by getting within fifty yards, nine times out of ten they would either go between me and the sun, or would be half concealed by bushes, or on bare ground where they would not make the picture I wanted. Finally we got a long procession of them started toward a high peak where

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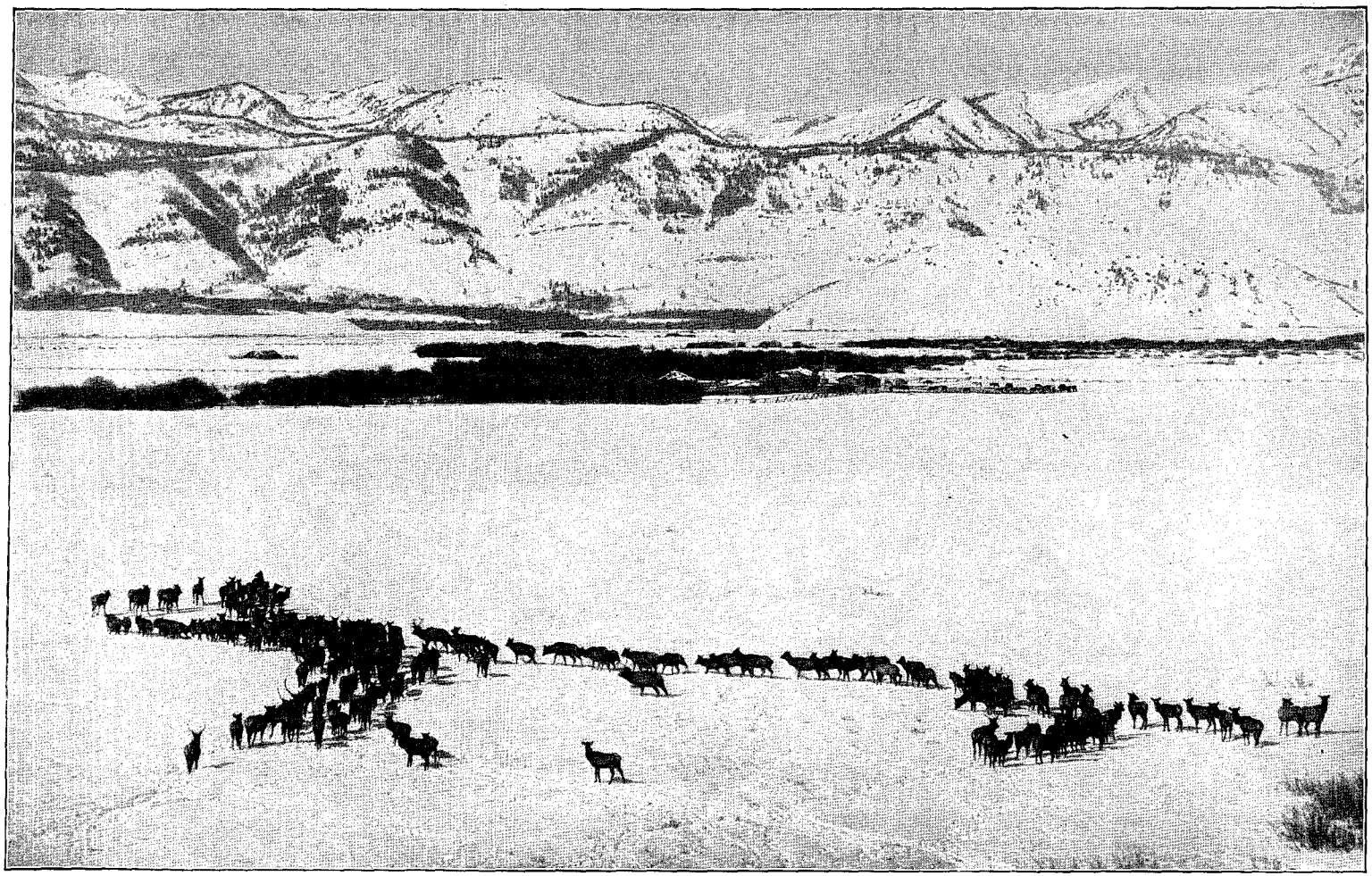

We watched them as they grouped and posed.—Page 270.

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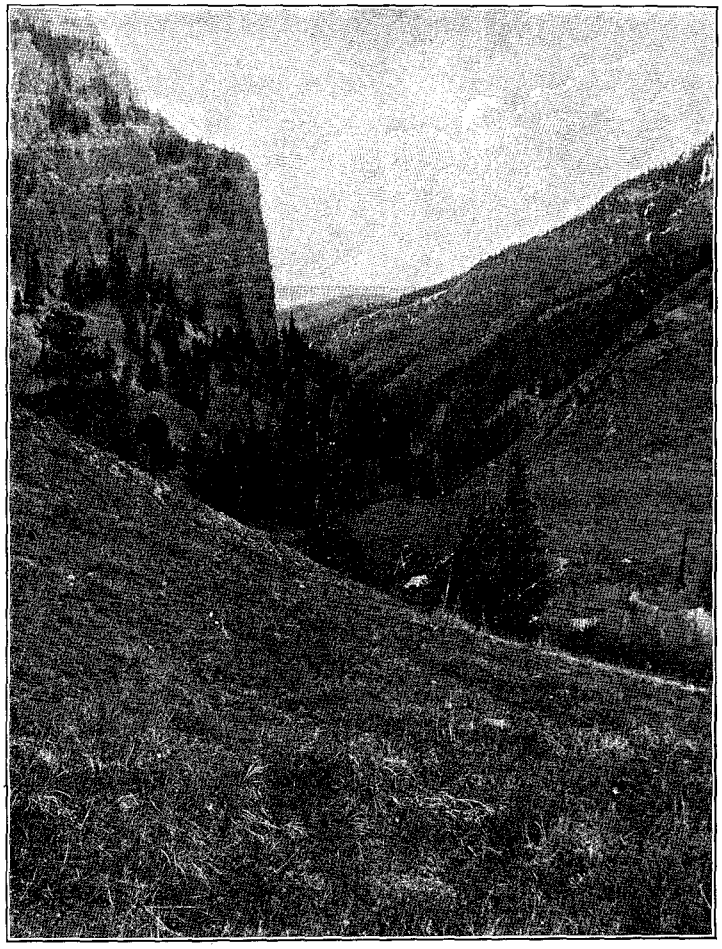
the snow was deep enough so that they could not keep out of our way. The sun had softened the snow, but it was wonderful to see how the horses got along through it, although it was knee deep. Higher and higher up we climbed, the elk keeping just ahead of us, until finally the ground got so rough that we had to leave our horses and clamber over a long rock-slide. The elk separated into two or three bunches, but one lot of old bulls went up a steep gulch. We toiled after them, and every two or three minutes I had to stop for breath. We were over eight thousand feet above the sea; and if anybody wants to know what real exercise is, he should try climbing after a bunch of long-winded elk in the snow, at that altitude.

After a while the elk got as far into the gulch as they could go. Then they huddled up and watched us. When they saw that we were coming too, they concluded that they must get out by the same way they had gone. We were on one side of the gulch and they came back down the other.



Hoback Canyon.—Page 270.

They did not like to go by us, but there was nothing else to do, and as they trotted along the steep mountain side opposite us, in fear of their lives, I had a good chance to photograph as many of them as came in the field of the camera at one time. After they had gone we thought we would go and look for the others, and we had not climbed more than two hundred yards before we saw a large bull lying under a big spruce. I went within fifty feet of him,

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The elk were on bare ground.—Page 270.

and still he showed no disposition to get up. He was so protected by overhanging branches that he was safe from the camera. I told Petersen I was going to see how close I could get to him. "Well," he said, "you will have a scrap on your hands if you do." He picked up a stone and threw it at the elk, and the old fellow bounced to his feet, clattering off down the rock-slide with a reckless indifference that filled me with envy. If a man had lungs like a blacksmith's bellows, hoofs on his feet and wings on his shoulders, he would be admirably fitted for getting over those mountains with ease and promptness.

That night when I got back to the ranch, while we were unsaddling our horses, we saw a coyote trotting along, out in the big pasture among the cattle. "I'll fix him," said Petersen, as he ran into the house and brought out a .38-72 Winchester. Stepping to the fence he rested the rifle on a post, and as the coyote stopped to look back he fired. Petersen's two dogs had been taking just as much interest in the proceedings as we had, and when the coyote jumped as the bullet struck him, they both made a dash. The coyote was crippled, but he drew his lips back and opened his jaws wide. He seemed to be all teeth, and showed a surprising capacity for biting both dogs at the same time. But they were two to one, and the poor coyote did not last long. I stepped the distance, and it was two hundred and forty-nine yards.

Several people at Jackson had told me that a few miles below the post-office lived a man by the name of Stephen N. Leek, who had a camera. I thought I would go down and get acquainted with him. Some of the people who told me about him said of course he could not be considered a photographer, because he wore blue overalls and a woollen sweater. When I went to

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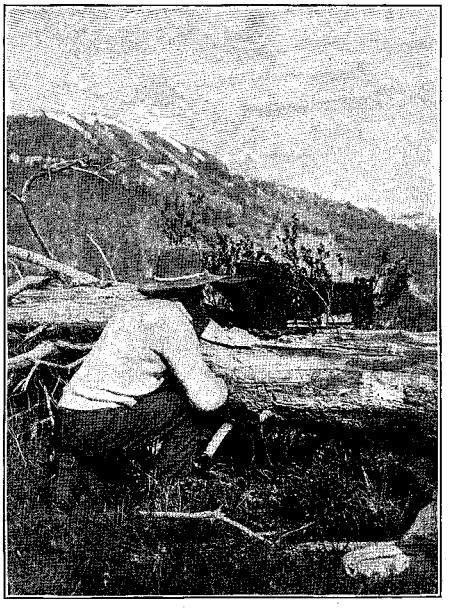
see Mr. Leek, who is a prosperous ranchman and guide, and told him I was making elk pictures, he said nothing would suit him better than to go on a little trip with me for a few days. He said that about twelve miles south of his house was the Hoback Canyon, through which a good many antelope came every spring, to get from their winter range on the Red Desert and in the Green River country back to their summer feeding-grounds in Jackson's Hole. While antelope pictures are very hard to get, he thought we might have a chance to ambush the creatures as they come through the canyon. Then he showed me his camera and his big dark room, and some of the photographs he took last winter, when people had to drive the elk away from their haystacks. When I saw his ninety-dollar convertible lens, with its long focus that was practically a low power telephoto, that would show an elk plainly a hundred yards away, and when he had brought out some of the photographs he had taken, I began to realize that the people who had judged his photographic ability by his clothes had fallen into the old mistake of underestimating home talent. I engaged him on the spot to help me make some pictures to be used in connection with this article. We did not expect to see very many elk in the country where we were going, because their particular range is further north; but our good luck exceeded our expectations.



The camera in ambush.—Page 270.

The next morning Leek and I took a pack-horse and our saddle-horses, and after passing three or four ranches went down to the Hoback Canyon to establish our photographic blockade.

The way in which some people equip themselves for the mountains is a joke. I have seen four men start out for a three weeks' trip attended by four guides, a cook, a horse-wrangler, and a string of forty pack-horses. What they find for the horses to carry it is hard to understand. Two men who know their business can take a saddle-horse each and at the most two pack-horses, and carry all the necessary paraphernalia for a trip of almost indefinite length. Then they do not have to spend half their time packing and unpacking their luggage. Leek and I had everything we needed, and it was carried on the back of one horse.

We had not gone through the foothills more than five miles before we were treated to a pleasant surprise. As we came to the top of a ridge we saw that the hillside beyond us was thickly covered with elk lying down. Only our heads were visible to the elk, and although several of them saw us, they did not seem to know what we were. They often seem unwilling to believe their eyes, and although they may see you plainly, yet if you keep perfectly still they will look at you a long time, and then make up their mind you are a harmless feature of the landscape, and will lie down again, or resume their feeding.

As soon as we saw the elk we backed away from the top of the ridge and dismounted. Mr. Leek had his big and somewhat clumsy camera hanging on his saddle-horn, and as soon as we were safely out of sight he unlimbered his artillery, ran out the long focus, and started to make a half-mile circuit to get the sun in the right direction. When a man is hunting with a rifle he has to keep in mind the direction of the wind. When he is hunting with a camera he must add the direction of the sun to his other troubles.

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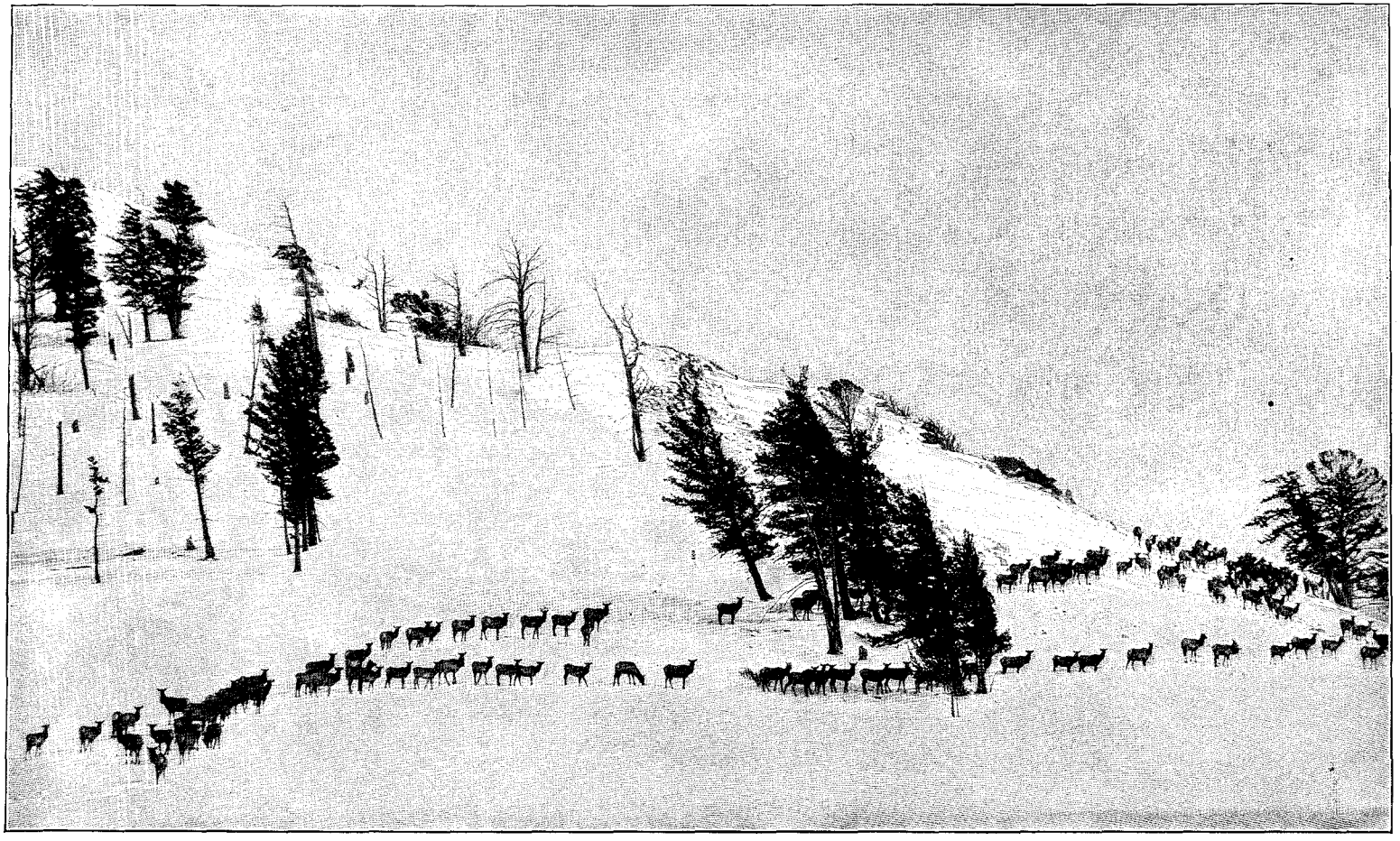

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Elk on snowy hillside in Jackson's Hole.

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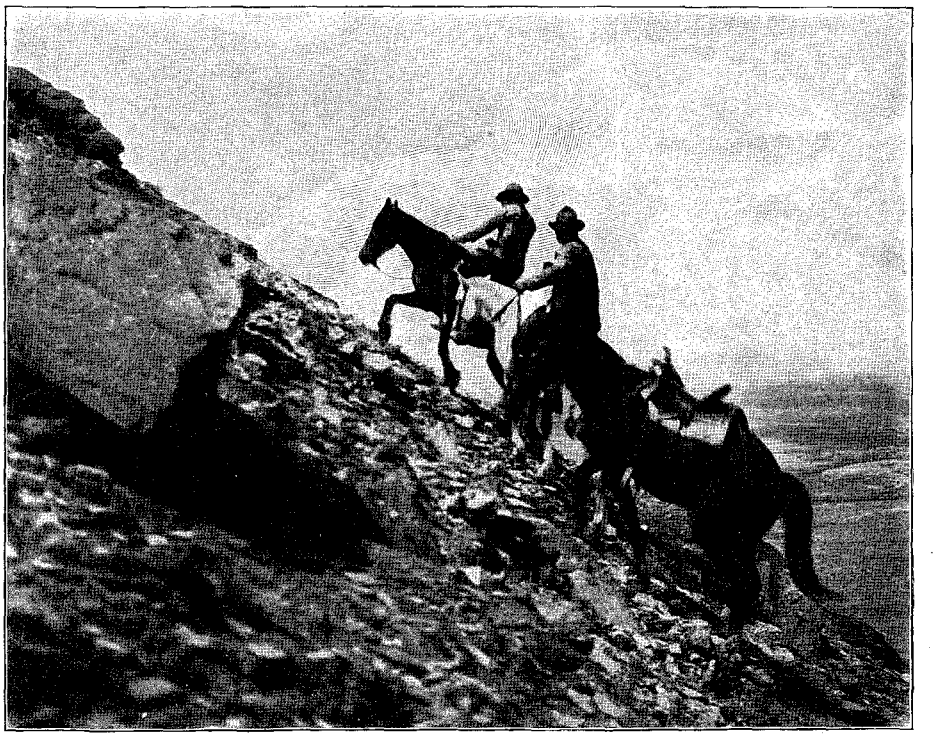

Astonishing to see the horses climb steep places.—Page 272.

Before we had gone very far we discovered that the ridges were full of elk, scattered here and there, and it was hard not to frighten them. If they had started, as I had already learned while hunting with Petersen, the scattering animals would have run toward the large bunch and frightened them all. We had good luck in this, however, and at last got part of the elk in range. Then the sun went under a cloud, and we had to sit half an hour waiting for it to come out again. The elk were on bare ground, and green grass does not make a perfect background; but one of the photographs accompanying this article is the result of that attempt. After we went back to the horses and continued our way we saw a good many other elk, and it seemed as though on this and the following days the whole country had been invaded by them, even though that was not supposed to be their particular feeding-ground. This was because the elk are increasing in numbers yearly.

The Hoback Canyon is the deep conduit through which Fall River pours down its green sulphurous waters, on their way to swell the volume of the Snake. It is the only break in the mountains for many miles on either side. During countless years it has been a highway for men and beasts. When Mr. Hunt, Mr. Crooks, and the other agents of Mr. Astor went to found a trading-post at the mouth of the Columbia in 1810, they passed along this same trail. The Indians always kept the country rather sparse in game, and only five years ago the ranchmen put a large band of Arapahoes and Bannocks back on their reservations, when they were hunting out of season. The supreme court of Wyoming has decided that Indians as well as white men must obey the game laws, and so the greatest menace to the future has been removed. If two Indians had been hunting where we were, they could easily have killed a hundred elk every day.

Just at the mouth of the Hoback Canyon Leek selected a fallen tree, swept down the mountain for a mile by an irresistible snow slide. Around this tree he piled smaller logs and green brush, as a conceal-

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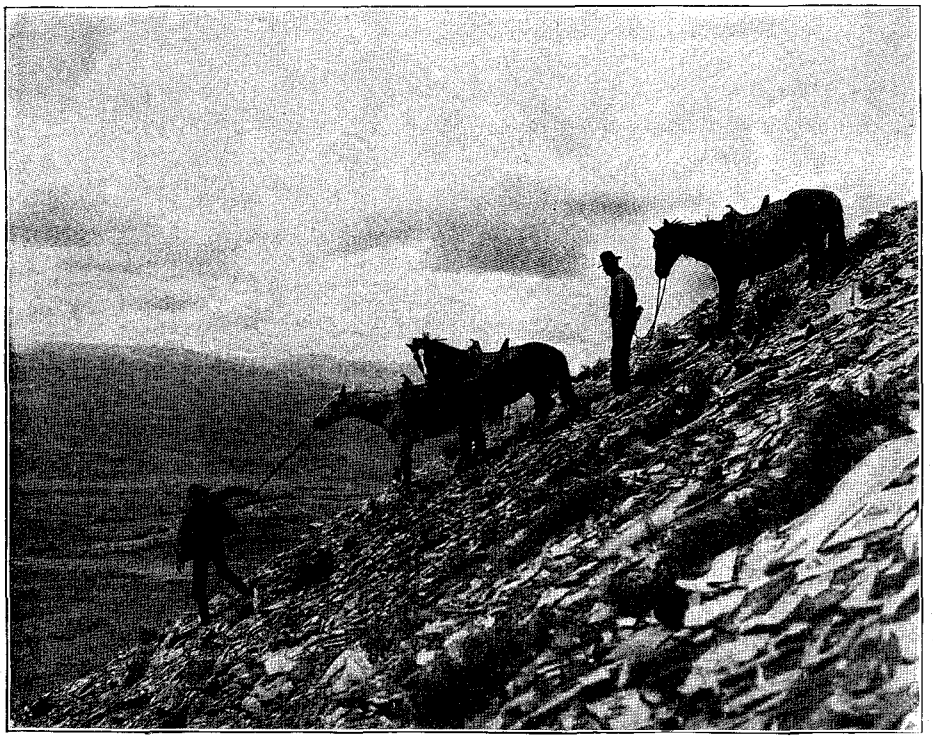

Appalling to see them come down.—Page 272.

ment for his camera. Then we lay down and waited, just as many an Indian had done at the same spot, from time immemorial.

Among the most interesting reminiscences of early times in these mountains are the many ruined fences and pens built long ago by the Sheep-eater Indians. They were the poorest of the Shoshones. They had no guns or horses, and were compelled to hunt at short range. Selecting a natural pass they would build low barriers of fallen timber, extending wing-like for long distances. These fences would persuade the elk and deer and sheep into the narrow path that led to destruction, for it ended in a close pen, in which the panic-stricken animals could be clubbed to death. As late as twenty years ago these pens were used by Indian hunters, and some of the rude constructions still remain in fairly good condition.

We had not lain behind our ambuscade more than two or three hours before Leek said he thought he would never be a very good Indian, because when there was no game in sight it was hard to keep still. The wind was blowing down the canyon, and the antelope and other game rarely come through a narrow pass unless the wind is in their faces, so that they can tell what is ahead of them. So Leek proposed that we take our horses and ride down the river bottom through the willows for a few miles. He thought the chance of seeing game might be better toward night.

We had not gone very far before we came to the bones of a dead bull elk, picked clean by the coyotes. Nobody had gone that way since the elk died, for his tusks were still in his jaw. Anybody who sees the carcass of an elk always looks for the tusks, because although a contraband article of commerce, or perhaps for that very reason, they are much prized by eastern men who belong to a famous brotherhood, and who wear the teeth on their watch chains.

As we went along down the river bottom we frequently scared up wild geese from their nests on the ground. We saw one bird stretching her long neck to look at us

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Antelope—"Please take our pictures."—Page 273.

while we were some distance away. As we were coming straight toward her she flew when we were about fifty yards off, giving voice to heart-broken honkings as she fled. Her four big eggs, surrounded by a few twigs, looked very lonely in their setting of newly fallen snow, and we were glad to see the old bird fly back accompanied by her mate, before we had been gone half a minute.

When Lewis and Clark crossed this country in 1804 they noted the presence of geese, and said these birds had nests in trees. This has been called a fairy tale, and a British writer some years ago doubted whether human eye had ever beheld the nest of a wild goose, because the birds hatch their young so far to the north. But geese breed in considerable numbers along all the streams in the Teton country, and several people told me they had known them to occupy the abandoned nests of fish-hawks in trees. If they cannot find such homes ready made, they lay their eggs on the ground near the water.

We did not see any game all the morning, and so we climbed the high foothills to look over the country. It was astonishing to see the horses climb steep places, and appalling to see them come down. Let a Rocky Mountain horse have his head and he will go almost anywhere a man can go, if the man will not use his hands.

The higher we climbed the more there was to see, until the foothills gave place to the mountains, and up in the snow we came in sight of elk again. I was glad we were making pictures instead of shooting. We opened the shutter of the lens and watched them on the ground glass as they grouped and posed, all unconscious of our presence. Sometimes it seemed as though they were executing some military evolution. It was the prettiest hunting I ever did.

It was nearly sunset when we neared our camp on Fall River. From the first bench above the stream we saw a long file of elk coming to the water on the further side, and when they had scrambled down the steep cut-bank the foremost one waded out and started across. Soon he was beyond his depth and struck out boldly, swimming in a long curve to the shore on our side. The others followed and soon the river had a whole string of elk across it. Before the last one was over we saw more elk coming from further down-stream. I happened to look back of me, and from the foothills came a small bunch of antelope, mincing along in a coquettish way. "We are surrounded," said Leek. And there were two more outfits of antelope coming, one on our right and the other on our left. "I forgot that we are right near a salt-lick here," said Leek. "There is no escape, but we will fight hard!"

The first lot of elk got wind of us, and when they ran the other elk took alarm too. But some of the antelope came right on, and we made two pictures of them. They saw us after a while, and circled half around us. While Leek struggled to open a stubborn plate-holder they formed in company

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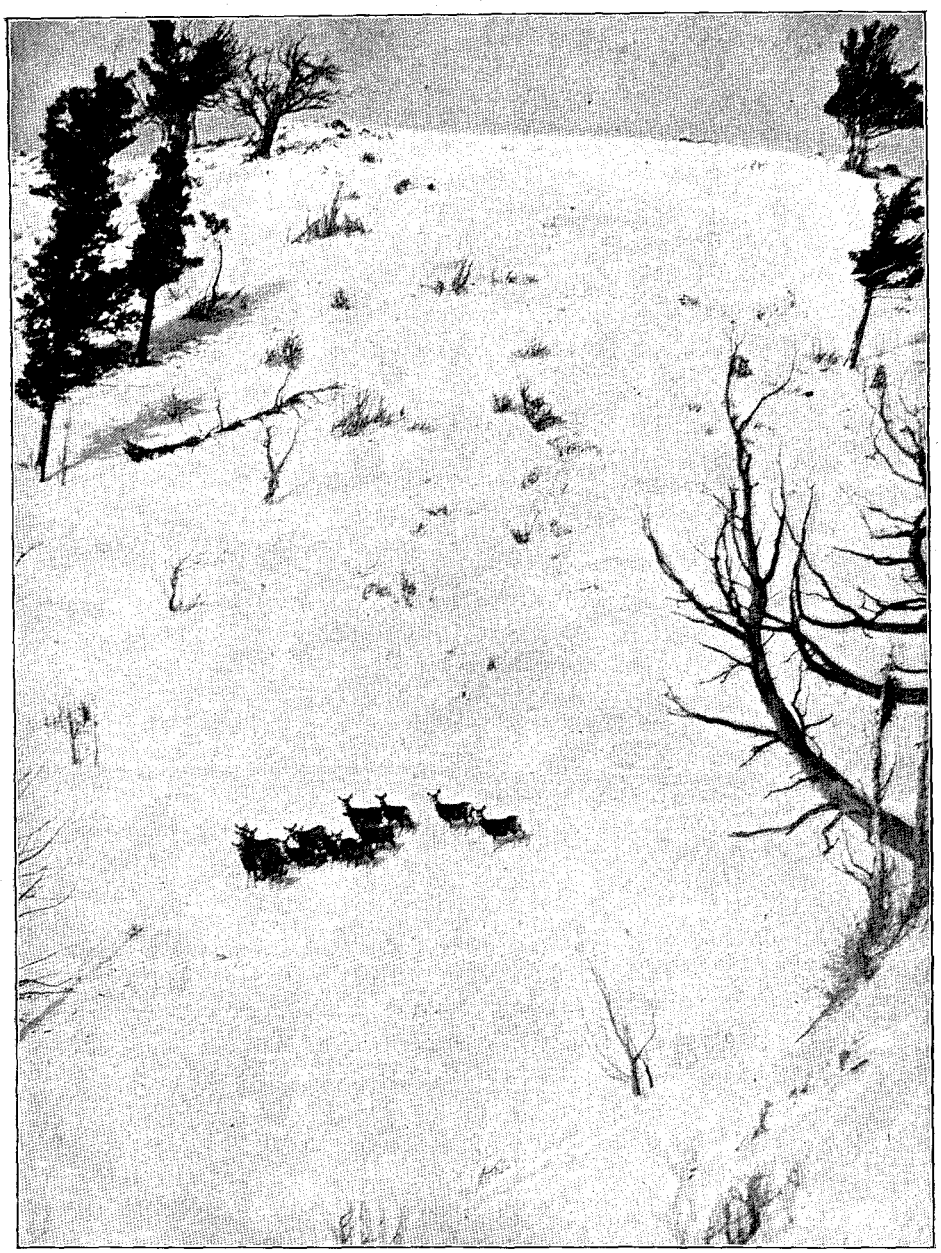

A group of black-tail deer.—Page 274.

front and charged straight for us, till I thought they would really run us down. On they came till they were not fifty feet away, and then stopping in line, cocked their heads and said, as plainly as they could, "Please take our pictures." Leek's plate-holder was hopelessly stuck, and I had used my last film. I felt as a man feels when he takes a bevy of girls to a restaurant for luncheon, and then discovers he has no money. I had lost the big fish and missed the big buck; but never do I expect to feel so foolish as I did while those antelope faced our helpless cameras, in a pose we may never either of us see again.

For ten seconds they stood, and then, as

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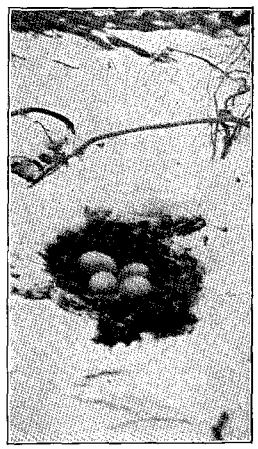
the air grew warm with what we said, they tossed their heads scornfully and ran away. As long as I live I shall remember that cavalry charge of the antelope.

When I thought how, on that very camping-ground where we were, the founders of Astoria had camped nearly a century ago, so near starvation that they had to eat Indian ponies, it occurred to me that game must be more plentiful than it was a hundred years back. Now that the red men have gone there are fewer people in the mountains. The white men respect the game laws, and the deer and wapiti and antelope have some chance.

One of the pictures we made that I thought very good was a group of black-tail deer. They were in a little open place among the trees up in the snow, and when they saw our horses they all stopped and looked, their big ears and graceful figures showing clearly against the snowy background. They seemed the most charming impersonation imaginable of innocence and curiosity. For a moment they stood and then whisked away as though they had not a care or fear in the world.



The nest of a wild goose.

The pictures we took on this trip must compel anyone, no matter how sceptical, to realize that game in these mountains is very plentiful. It was repeatedly stated to me that at one time last winter a herd of elk estimated to contain twelve thousand animals passed along the valley in which the post-office at Jackson is located; and the total number in Western Wyoming has been placed at forty thousand. What the real total is no man knows. I saw elk enough to make it seem as though they were almost as the leaves on the trees.

What is the future of these beautiful creatures? They have an ample range, in a country where no man may lawfully kill more than two in any one year, and where the license to non-residents is fifty dollars. The mountains are an almost impregnable barrier against poachers. The settlers observe the game laws very well. Most of the men are guides in the hunting season and they appreciate the value of the game as a perpetual source of revenue. The elk breed rapidly, and a severe winter only kills some of the weaker ones. What, then, if any, dangers confront the elk? At present there are two. The first and most formidable is the domestic sheep. Idaho on the west, and all of Wyoming east of the Wind River Mountains, have been given over to a business which when properly conducted is lawful and laudable, but which when recklessly carried on is a curse. Cattle can graze in a country for a thousand years, and at the end of that time the grass in spring will again carpet every hill with green. Put sheep on the same ground for three years and they will make it a desolation. Thousands of square miles in Wyoming are bare of vegetation, where the sheep have devastated the land so that a gopher cannot live there. It takes six years for grass to grow again where sheep have pulled it up and tramped it down.

There is no prettier picture than that of a sheep herder, with his wonderful dog, handling a bunch of five thousand sheep; moving about with them at will, carrying his family with him in his little house on wheels, and free as a wild animal. It is only the indiscriminate crowding of the range and reckless destruction of the public pastures that have brought the State of Wyoming face to face with a great danger. People there have been reluctant to believe that the grazing range could be overcrowded. They did not wish to think that unrestricted sheep-pasturage meant the doom of all other live stock. But they believe it now, and so the cattlemen say to the sheepmen, "You are destroyers of the public pasture lands. Here is your dead-line. Keep off our grass." If the sheep come over the dead-line something unpleasant happens. And the sheepmen are sore pressed for grazing land.

Nearly the whole range of the elk is within the borders of the great Teton forest reserve. This reserve, while subject to the game laws of Wyoming, is under the control of the Secretary of the Interior so far as grazing permits are concerned,

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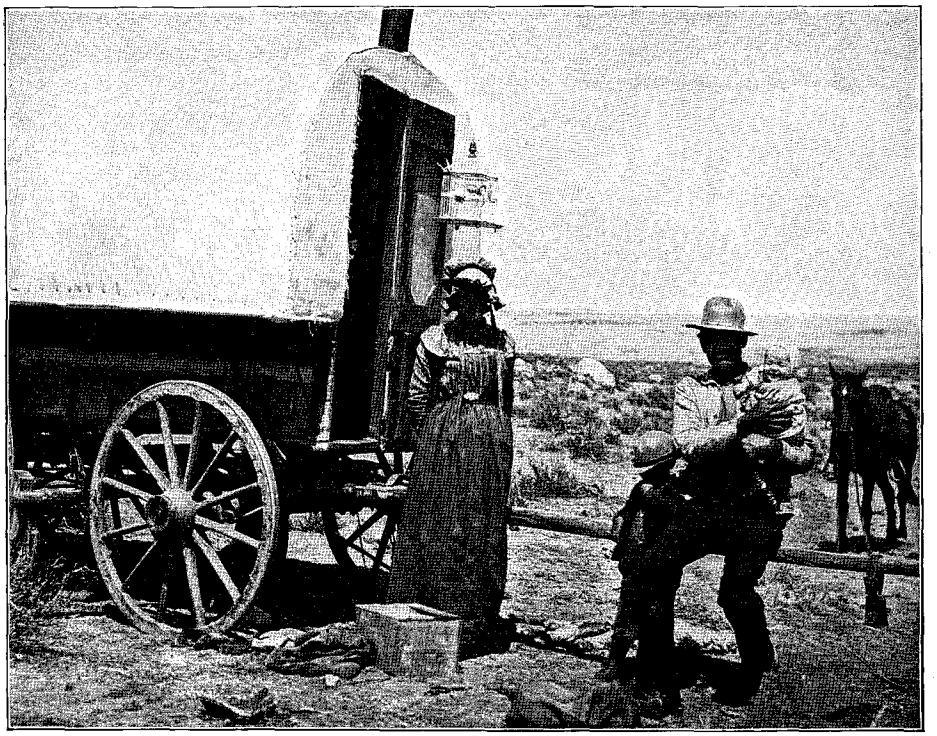

Sheep herder and his travelling house.—Page 274.

and thus far no sheep have been allowed to destroy the vegetation. If the Interior Department ever has a man at the head of it who opens the mountains to the woolly multitudes the elk will all be dead in a few years, for their food will be destroyed.

There is one other danger to the game. That is the misguided enthusiasm of a collection of gentlemen who wish to drive the ranchmen and settlers entirely out of Western Wyoming, and to make the country a vast preserve. It must be remembered that before there was any forest reservation a great many settlers, after the manner of the West, went in and occupied the irrigable portions of the unsurveyed land. These settlers are lawfully there, but they have not all been able to prove up and secure titles. Other settlers live close to the timber reserve, and are dependent upon it for their summer cattle-range. It is the impression of a great many people in Wyoming that the government of the United States is acting as a cat's-paw for the eastern sportsmen's league that avowedly wishes to drive the cattle from the mountains and the settlers from their homes. They fear a variation of the black page of English history when the rich and powerful confiscated the homes of the lowly to make hunting parks for the amusement of the great. Buildings lawfully erected on what is now the Teton forest reserve have been burned by federal officials. Forest rangers have been ordered to accept the kindly hospitality of the ranchman's dinner-table, to spy upon his larder for evidence of fresh meat out of season.

These grievances, real or imaginary, make the settlers uneasy. They feel that they are weak and far away, and some of them look on the elk as their rivals. As one ranchman said, "This valley is our home. If we thought the elk would be the cause of our being driven out, the elk wouldn't last long."

Most of this region can never be anything except what it now is. Those who know say there is abundant feed for all the game and all the cattle too, because few more ranches can ever be established. There is

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not water enough for much more irrigation, so, if the settlers already there are made to feel secure, and the game laws now in existence are enforced, the future of the elk and other game seems secure. The animals lawfully killed by sportsmen and settlers do not keep down the natural increase. Deep snows and severe winters kill ten elk where man kills one.

While in Jackson's Hole I formed the acquaintance of Mr. Robert E. Miller, chief supervisor of the reserve, who represents the best type of western ranchman. He says every settler will be protected, and that Washington will not be misled by paper sportsmen who think forest reserves look pretty on the map, but who forget the people living on the land. Besides, there is one man who probably understands the situation and appreciates the right of it better than anyone else. His name is Theodore Roosevelt.

For the man who, in the fine weather of autumn, wishes to see game in the profusion that other people saw it in other days, there can be no more wonderful place than this. Two months in each year hunting is legal. The game country can be reached from four sides: through the Yellowstone Park from the north, from Rawlins by stage to Dubois on the east, from Opal by stage on the south, and from St. Anthony by stage to Jackson on the west. Then the saddle and the pack-horse; the straining muscle and the expanding lung; the glorious vision of the mountain landscape, till you wonder what heaven can have to offer more, when this good old earth is altogether lovely.

Travel in Wyoming in the spring.

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TOM FOLIO

By Thomas Bailey Aldrich

IN my early Boston days a gentle soul was often to be met with about town, furtively haunting old bookshops and dusty editorial rooms, a man of ingratiating simplicity of manner, who always spoke in a low, hesitating voice with a note of refinement in it. He was a devout worshipper of Elia, and wrote pleasant discursive essays smacking somewhat of his master's flavor—suggesting rather than imitating it—which he signed "Tom Folio." I forget how he glided into my acquaintanceship; doubtless in some way too shy and elusive for remembrance. I never knew him intimately, perhaps no one did, but the intercourse between us was most cordial, and our chance meetings and bookish chats extended over a space of a dozen years.

Tom Folio—I cling to the winning pseudonym—was sparely built and under medium height, or maybe a slight droop of the shoulders made it seem so, with a fragile look about him and an aspect of youth that was not his. Encountering him casually on a street corner, you would, at the first glance, have taken him for a youngish man, but the second glance left you doubtful. It was a figure that struck a note of singularity and would have attracted your attention even in a crowd.

During the first four or five years of our acquaintance, meeting him only out of doors or in shops, I had never happened to see him with his hat off. One day he recklessly removed it, and in the twinkling of an eye he became an elderly bald-headed man. The Tom Folio I once knew had virtually vanished. An instant earlier he was a familiar shape; an instant later, an almost unrecognizable individual. A narrow fringe of light-colored hair, extending from ear to ear under the rear brim of his hat, had perpetrated an unintentional fraud by leading one to suppose a head profusely covered with curly locks. "Tom Folio," I said, "put on your hat and come back!" But after that day he never seemed young to me.

I had few or no inklings of his life disconnected with the streets and the bookstalls, chiefly those on Cornhill or in the vicinity. It is possible I am wrong in inferring that he occupied a room somewhere at the South End or in South Boston, and lived entirely alone, heating his coffee and boiling his egg over an alcohol lamp. I got from him one or two fortuitous hints of quaint housekeeping. Every winter, it appeared, some relative, far or near, sent him a large batch of mince pies, twenty or thirty at least. He once spoke to me of having laid in his winter pie, just as another might speak of laying in his winter coal. The only household companion Tom Folio ever alluded to in my presence was a Maltese cat, whose poor health seriously disturbed him from time to time. I suspected those mince pies. The cat, I recollect, was named Miss Mowcher.

If he had any immediate family ties beyond this I was unaware of them, and not curious to be enlightened on the subject. He was more picturesque solitary. I preferred him to remain so. Other figures introduced into the background of the canvas would have spoiled the artistic effect.

Tom Folio was a cheerful, lonely man—a recluse even when jostled and hurried along on the turbulent stream of humanity sweeping in opposite directions through Washington Street and its busy estuaries. He was in the crowd, but not of it. I had so little real knowledge of him that I was forced to imagine his more intimate environments. However wide of the mark my conjectures may have fallen, they were as satisfying to me as facts would have been. His secluded room I could picture to myself with a sense of certainty—the couch (a sofa by day), the cupboard, the writing-table with its student lamp, the litter of pamphlets and old quartos and octavos in tattered bindings, among which

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were scarce editions of his beloved Charles Lamb, and perhaps—nay, surely—an *editio princeps* of the Essays.

The gentle Elia never had a gentler follower or a more loving disciple than Tom Folio. He moved and had much of his being in the first part of the last century. To him the South-Sea House was the most important edifice on the globe, and the slender figure of the famous clerk, clad in his suit of decent black, was still seated, quill in hand, behind these stately porticos looking upon Threadneedle Street and Bishopsgate. Every line traced by the "lean annuitant" was as familiar to Tom Folio as if he had written it himself. Stray scraps, which had escaped the vigilance of able editors, were known to him, and it was his to unearth amid a pile of mouldy, worm-eaten magazines, a handful of leaves hitherto forgotten of all men. Trifles, yes—but Charles Lamb's! "The king's chaff is better than any other man's wheat," says Tom Folio.

Often his talk was sweet and racy with old-fashioned phrases; the talk of a man who loved books and drew habitual breath in an atmosphere of fine thought. Next to Charles Lamb, but at a convenable distance, Izaak Walton was Tom Folio's favorite. His poet was Alexander Pope, though he thought Mr. Addison's tragedy of "Cato" contained some proper good lines. Our friend was a wide reader in English classics, greatly preferring the literature of the earlier periods to that of the Victorian age. His smiling, tenderly expressed disapprobation of various modern authors was enchanting. John Keats's verses were monstrous pretty, but over-ornamented. The poetry of Shelley might have been composed in the moon by a slightly deranged, well-meaning person. If you wanted a sound mind in a sound metrical body, why there was Mr. Pope's "Essay on Man." There was something winsome and by-gone in the general make-up of Tom Folio. No man living in the world ever seemed to me to live so much out of it, or to live more comfortably.

Although Tom Folio was not a collector —that means dividends and bank balances —he had a passion for the Past and all its belongings, with a virtuoso's knowledge of them. A fan painted by Vanloo, a bit of rare Nankin (he had caught from Charles Lamb the love of old china), or an undoctored stipple of Bartolozzi gave him delight in the handling, though he might not aspire to ownership. I believe he would willingly have drunk any horrible decoction from a silver teapot of Queen Anne's time. These things were not for him in a coarse, materialistic sense; in a spiritual sense he held possession of them in fee-simple. I learned thus much of his tastes one day during an hour we spent together in the rear showroom of a dealer in antiquities.

I have spoken of him as lonely, but I am inclined to think that I misstated it. He had hosts of friends who used to climb the rather steep staircase leading to that modest third-story front room which I have imagined for him—a room with Turkey-red curtains, I like to believe, and a rare engraving of a scene from Mr. Hogarth's excellent moral of The Industrious and Idle Apprentices pinned against the chimney-breast. Young Chatterton, who was not always the best of company, dropped in at intervals. There Mr. Samuel Pepys had a special chair reserved for him by the window, where he could catch a glimpse of the pretty housemaid over the way, chatting with the policeman at the area railing. Dr. Johnson and the unworldly author of "The Deserted Village" were frequent visitors, sometimes appearing together arm-in-arm. Not that Tom Folio did not have callers vastly more aristocratic, though he could have had none pleasanter or wholesomer. Sir Philip Sidney (who must have given Folio that copy of the "Arcadia"), the Viscount St. Albans, and even two or three others before whom either of these might have doffed his bonnet, did not disdain to gather round that fireside. Fielding, Defoe, Dick Steele, Dean Swift —there was no end to them! On certain nights, when all the stolid neighborhood was lapped in slumber, the narrow street stretching beneath Tom Folio's windows must have been blocked with invisible coaches and sedan-chairs, and illuminated by the visionary glare of torches borne by shadowy link-boys hurrying hither and thither. A man so sought after and companioned cannot be described as lonely.

My memory here recalls the fact that he had a few friends less insubstantial—that quaint anatomy perched on the top of a hand-organ, to whom Tom Folio was wont

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to give a bite of his apple; and the brown-legged little Neapolitan who was always nearly certain of a copper when this multi-millionaire strolled through the slums on a Saturday afternoon—Saturday probably being the essayist's pay-day. The withered woman of the peanut-stand on the corner over against Faneuil Hall Market knew him for a friend, as did also the blind lead-pencil merchant, whom Tom Folio, on occasions, safely piloted across the stormy traffic of Dock Square. *Noblesse oblige!* He was no stranger in those purlieus. Without designing to confuse small things with great, I may say that a certain strip of pavement in North Street could be pointed out as Tom Folio's Walk, just as Addison's Walk is pointed out on the banks of the Cherwell at Oxford.

I used to observe that when Tom Folio was not in quest of a print or a pamphlet or some such urgent thing, but was walking for mere recreation, he instinctively avoided respectable latitudes. He liked best the squalid, ill-kept thoroughfares shadowed by tall, smudgy tenement-houses and teeming with unprosperous, noisy life. Perhaps he had, half consciously, a sense of subtle kinship to the unsuccess and cheerful resignation of it all.

Returning home from abroad one October morning several years ago, I was told that that simple spirit had passed on. His death had been little heeded; but in him had passed away an intangible genuine bit of Old Boston—as genuine a bit, in its kind, as the Autocrat himself—a personality not to be restored or replaced. Tom Folio could never happen again!

Strolling to-day through the streets of the older section of the town, I miss many a venerable landmark submerged in the rising tide of change, but I miss nothing quite so much as I do the sight of Tom Folio entering the doorway of the Old Corner Bookstore, or carefully taking down a musty volume from its shelf at some melancholy old bookstall on Cornhill.

TO HELEN KELLER

By Florence Earle Coates

Life has its limitations manifold:
All life; not only that which throbs in thee,
And strains its fetters, eager to be free.
The faultless eye may not thy vision hold—
Maiden, whose brow with thought is aureoled,
And they who hear may lack the ministry,
The august influence, of Silence, she
Who brooded o'er the void, in ages old.

Prisoner of the Dark inaudible—
Light, which the night itself could not eclipse,
Thou shinest forth, Man's being to reveal.
We learn, with awe, from thine apocalypse,
That nothing can the human spirit quell,
And know him lord of all things, *who can feel!*

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SANCTUARY

BY EDITH WHARTON

ILLUSTRATIONS BY WALTER APPLETON CLARK

PART II

I

"DOES it look nice, mother?" Dick Peyton met her with the question on the threshold, drawing her gaily into the little square room, and adding, with a laugh with a blush in it: "You know she's an uncommonly noticing person, and little things tell with her."

He swung round on his heel to follow his mother's smiling inspection of the apartment.

"She seems to have *all* the qualities," Mrs. Denis Peyton remarked, as her circuit finally brought her to the prettily-appointed tea-table.

"*All*," he declared, taking the sting from her emphasis by his prompt adoption of it. Dick had always had a wholesome way of thus appropriating to his own use such small shafts of maternal irony as were now and then aimed at him.

Kate Peyton laughed and loosened her furs. "It looks charmingly," she pronounced, ending her survey by an approach to the window, which gave, far below, the oblique perspective of a long side-street leading to Fifth Avenue.

The high-perched room was Dick Peyton's private office, a retreat partitioned off from the larger enclosure in which, under a north light and on a range of deal tables, three or four young draughtsmen were busily engaged in elaborating his architectural projects. The outer door of the office bore the sign: *Peyton and Gill, Architects;* but Gill was a utilitarian person, as unobtrusive as his name, who contented himself with a desk in the work-room, and left Dick to lord it alone in the small apartment to which clients were introduced, and where the social part of the business was carried on.

It was to serve, on this occasion, as the scene of a tea designed, as Kate Peyton was vividly aware, to introduce a certain young lady to the scene of her son's labours. Mrs. Peyton had been hearing a great deal lately about Clemence Verney. Dick was naturally expansive, and his close intimacy with his mother—an intimacy fostered by his father's early death—if it had suffered some natural impairment in his school and college days, had of late been revived by four years of close comradeship in Paris, where Mrs. Peyton, in a tiny apartment of the Rue de Varennes, had kept house for him during his course of studies at the Beaux Arts. There were indeed not lacking critics of her own sex who accused Kate Peyton of having figured too largely in her son's life; of having failed to efface herself at a period when it is agreed that young men are best left free to try conclusions with the world. Mrs. Peyton, had she cared to defend herself, might have said that Dick, if communicative, was not impressionable, and that the closeness of texture which enabled him to throw off her sarcasms preserved him also from the infiltration of her prejudices. He was certainly no knight of the apron-string, but a seemingly resolute and self-sufficient young man, whose romantic friendship with his mother had merely served to throw a veil of suavity over the hard angles of youth.

But Mrs. Peyton's real excuse was after all one which she would never have given. It was because her intimacy with her son was the one need of her life that she had, with infinite tact and discretion, but with equal persistency, clung to every step of his growth, dissembling herself, adapting herself, rejuvenating herself, in the passionate effort to be always within reach but never in the way.

Denis Peyton had died after seven years of marriage, when his boy was barely six. During those seven years he had managed to squander the best part of the fortune he

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had inherited from his step-brother; so that, at his death, his widow and son were left with a scant competence. Mrs. Peyton, during her husband's life, had apparently made no effort to restrain his expenditure. She had even been accused, by those judicious persons who are always ready with an estimate of their neighbours' motives, of having encouraged poor Denis's improvidence for the gratification of her own ambition. She had in fact, in the early days of their marriage, tried to launch him in politics, and had perhaps drawn somewhat heavily on his funds in the first heat of the contest; but the experiment ending in failure, as Denis Peyton's experiments were apt to end, she had made no farther demands on his exchequer. Her personal tastes were in fact unusually simple, but her outspoken indifference to money was not, in the opinion of her critics, designed to act as a check upon her husband; and it resulted in leaving her, at his death, in straits from which it was impossible not to deduce a moral.

Her small means, and the care of the boy's education, served the widow as a pretext for secluding herself in a socially remote suburb, where it was inferred that she was expiating, on queer food and in ready-made boots, her rash defiance of fortune. Whether or not Mrs. Peyton's penance took this form, she hoarded her substance to such good purpose that she was not only able to give Dick the best of schooling, but to propose, on his leaving Harvard, that he should prolong his studies by another four years at the Beaux Arts. It had been the joy of her life that her boy had early shown a marked bent for a special line of work. She could not have borne to see him reduced to a mere money-getter, yet she was not sorry that their small means forbade the cultivation of an ornamental leisure. In his college days Dick had troubled her by a superabundance of tastes, a restless flitting from one form of artistic expression to another. Whatever art he enjoyed he wished to practise, and he passed from music to painting, from painting to architecture, with an ease which seemed to his mother to indicate lack of purpose rather than excess of talent. She had observed that these changes were usually due, not to self-criticism, but to some external discouragement. Any depreciation of his work was enough to convince him of the uselessness of pursuing that special form of art, and the reaction produced the immediate conviction that he was really destined to shine in some other line of work. He had thus swung from one calling to another till, at the end of his college career, his mother took the decisive step of transplanting him to the Beaux Arts, in the hope that a definite course of study, combined with the stimulus of competition, might fix his wavering aptitudes. The result justified her expectation, and their four years in the Rue de Varennes yielded the happiest confirmation of her belief in him. Dick's ability was recognized not only by his mother but by his professors. He was engrossed in his work, and his first successes developed his capacity for application. His mother's only fear was that praise was still too necessary to him. She was uncertain how long his ambition would sustain him in the face of failure. He gave lavishly where he was sure of a return; but it remained to be seen if he were capable of production without recognition. She had brought him up in a wholesome scorn of material rewards, and nature seemed, in this direction, to have seconded her training. He was genuinely indifferent to money, and his enjoyment of beauty was of that happy sort which does not generate the wish for possession. As long as the inner eye had food for contemplation, he cared very little for the deficiencies in his surroundings; or, it might rather be said, he felt, in the sum-total of beauty about him, an ownership of appreciation that left him free from the fret of personal desire. Mrs. Peyton had cultivated to excess this disregard of material conditions; but she now began to ask herself whether, in so doing, she had not laid too great a strain on a temperament naturally exalted. In guarding against other tendencies she had perhaps fostered in him too exclusively those qualities which circumstances had brought to an unusual development in herself. His enthusiasms and his disdains were alike too unqualified for that happy mean of character which is the best defence against the surprises of fortune. If she had taught him to set an exaggerated value on ideal rewards, was not that but a shifting of the danger-point on which her fears had always hung? She trembled some-

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times to think how little love and a life-long vigilance had availed in the deflecting of inherited tendencies.

Her fears were in a measure confirmed by the first two years of their life in New York, and the opening of his career as a professional architect. Close on the easy triumphs of his studentship there came the chilling reaction of public indifference. Dick, on his return from Paris, had formed a partnership with an architect who had had several years of practical training in a New York office; but the quiet and industrious Gill, though he attracted to the new firm a few small jobs which overflowed from the business of his former employer, was not able to infect the public with his own faith in Peyton's talents, and it was trying to a genius who felt himself capable of creating palaces to have to restrict his efforts to the building of suburban cottages or the planning of cheap alterations in private houses.

Mrs. Peyton expended all the ingenuities of tenderness in keeping up her son's courage; and she was seconded in the task by a friend whose acquaintance Dick had made at the Beaux Arts, and who, two years before the Peytons, had returned to New York to start on his own career as an architect. Paul Darrow was a young man full of crude seriousness, who, after a youth of struggling work and study in his native northwestern state, had won a scholarship which sent him abroad for a course at the Beaux Arts. His two years there coincided with the first part of Dick's residence, and Darrow's gifts had at once attracted the younger student. Dick was unstinted in his admiration of rival talent, and Mrs. Peyton, who was romantically given to the cultivation of such generosities, had seconded his enthusiasm by the kindest offers of hospitality to the young student. Darrow thus became the grateful frequenter of their little *salon*, and after their return to New York the intimacy between the young men was renewed, though Mrs. Peyton found it more difficult to coax her son's friend to her New York drawing-room than to the informal surroundings of the Rue de Varennes. There, no doubt, secluded and absorbed in her son's work, she had seemed to Darrow almost a fellow-student; but seen among her own associates she became once more the woman of fashion, divided from him by the whole breadth of her ease and his awkwardness. Mrs. Peyton, whose tact had divined the cause of his estrangement, would not for an instant let it affect the friendship of the two young men. She encouraged Dick to frequent Darrow, in whom she divined a persistency of effort, an artistic self-confidence, in curious contrast to his social hesitancies. The example of his obstinate capacity for work was just the influence her son needed, and if Darrow would not come to them she insisted that Dick must seek him out, must never let him think that any social discrepancy could affect a friendship based on deeper things. Dick, who had all the loyalties, and who took an honest pride in his friend's growing success, needed no urging to maintain the intimacy; and his copious reports of midnight colloquies in Darrow's lodgings showed Mrs. Peyton that she had a strong ally in her invisible friend.

It had been, therefore, somewhat of a shock to learn in the course of time that Darrow's influence was being shared, if not counteracted, by that of a young lady in whose honour Dick was now giving his first professional tea. Mrs. Peyton had heard a great deal about Miss Clemence Verney, first from the usual purveyors of such information, and more recently from her son, who, probably divining that rumour had been before him, adopted his usual method of disarming his mother by taking her into his confidence. But, ample as her information was, it remained perplexing and contradictory, and even her own few meetings with the girl had not helped her to a definite opinion. Miss Verney, in conduct and ideas, was, patently, of the "new school": a young woman of feverish activities and broad-cast judgments, whose very versatility made her hard to define. Mrs. Peyton was shrewd enough to allow for the accidents of environment; what she wished to get at was the residuum of character beneath Miss Verney's shifting surface.

"It looks charmingly," Mrs. Peyton repeated, giving a loosening touch to the crowded chrysanthemums in a tall vase on her son's desk.

Dick laughed and glanced at his watch.

"They won't be here for another quarter of an hour. I think I'll tell Gill to clean out the work-room before they come."

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"Are we to see the drawings for the competition?" his mother asked.

He shook his head smilingly. "Can't—I've asked one or two of the Beaux Arts fellows, you know; and besides, old Darrow's actually coming."

"Impossible!" Mrs. Peyton exclaimed.

"He swore he would last night." Dick laughed again, with a tinge of self-satisfaction. "I've an idea he wants to see Miss Verney."

"Ah," his mother murmured. There was a pause before she added: "Has Darrow really gone in for this competition?"

"Rather! I should say so! He's simply working himself to the bone."

Mrs. Peyton sat revolving her muff on a meditative hand; at length she said: "I'm not sure I think it quite nice of him."

Her son halted before her with an incredulous stare. "*Mother!*" he exclaimed.

The rebuke sent a blush to her forehead. "Well—considering your friendship—and everything."

"Everything? What do you mean by everything? The fact that he has more ability than I have and is therefore more likely to succeed? The fact that he needs the money and the success a deuced sight more than any of us? Is that the reason you think he oughtn't to have entered? Mother! I never heard you say an ungenerous thing before."

The blush deepened to crimson and she rose with a nervous laugh. "It *was* ungenerous," she conceded. "I suppose I'm jealous for you. I hate these competitions!"

Her son smiled reassuringly. "You needn't. I'm not afraid: I think I shall pull it off this time. In fact, Paul's the only man I'm afraid of—I'm always afraid of Paul—but the mere fact that he's in the thing is a tremendous stimulus."

His mother continued to study him with an anxious tenderness. "Have you worked out the whole scheme? Do you *see* it yet?"

"Oh, broadly, yes. There's a gap here and there—a hazy bit, rather—it's the hardest problem I've ever had to tackle; but then it's my biggest opportunity, and I've simply *got* to pull it off!"

Mrs. Peyton sat silent, considering his flushed face and illumined eye, which were rather those of the victor nearing the goal than of the runner just beginning the race. She remembered something that Darrow had once said of him: "Dick always sees the end too soon."

"You haven't too much time left," she murmured.

"Just a week. But I shan't go anywhere after this. I shall renounce the world." He glanced smilingly at the festal tea-table and the embowered desk. "When I next appear, it will either be with my heel on Paul's neck—poor old Paul—or else—or else—being dragged lifeless from the arena!"

His mother nervously took up the laugh with which he ended. "Oh, not lifeless," she said.

His face clouded. "Well, maimed for life, then," he muttered.

Mrs. Peyton made no answer. She knew how much hung on the possibility of his winning the competition which for weeks past had engrossed him. It was a design for the new museum of sculpture, for which the city had recently voted half a million. Dick's taste ran naturally to the grandiose, and the erection of public buildings had always been the object of his ambition. Here was an unmatched opportunity, and he knew that, in a competition of the kind, the newest man had as much chance of success as the firm of most established reputation, since every competitor entered on his own merits, the designs being submitted to a jury of architects who voted on them without knowing the names of the contestants. Dick, characteristically, was not afraid of the older firms: indeed, as he had told his mother, Paul Darrow was the only rival he feared. Mrs. Peyton knew that, to a certain point, self-confidence was a good sign; but somehow her son's did not strike her as being of the right substance—it seemed to have no dimension but extent. Her fears were complicated by a suspicion that, under his professional eagerness for success, lay the knowledge that Miss Verney's favour hung on the victory. It was that, perhaps, which gave a feverish touch to his ambition; and Mrs. Peyton, surveying the future from the height of her maternal apprehensions, divined that the situation depended mainly on the girl's view of it. She would have given a great deal to know Clemence Verney's conception of success.

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II

MISS VERNEY, when she presently appeared, in the wake of the impersonal and exclamatory young married woman who served as a background to her vivid outline, seemed competent to impart at short notice any information required of her. She had never struck Mrs. Peyton as more alert and efficient. A melting grace of line and colour tempered her edges with the charming haze of youth; but it occurred to her critic that she might emerge from this morning mist as a dry and metallic old woman.

If Miss Verney suspected a personal application in Dick's hospitality, it did not call forth in her the usual tokens of self-consciousness. Her manner may have been a shade more vivid than usual, but she preserved all her bright composure of glance and speech, so that one guessed, under the rapid dispersal of words, an undisturbed steadiness of perception. She was lavishly but not indiscriminately interested in the evidences of her host's industry, and as the other guests assembled, straying with vague ejaculations through the labyrinth of scale-drawings and blue prints, Mrs. Peyton noted that Miss Verney alone knew what these symbols stood for.

To his visitors' requests to be shown his plans for the competition, Peyton had opposed a laughing refusal, enforced by the presence of two fellow-architects, young men with lingering traces of the Beaux Arts in their costume and vocabulary, who stood about in Gavarni attitudes and dazzled the ladies by allusions to fenestration and entasis. The party had already drifted back to the tea-table when a hesitating knock announced Darrow's approach. He entered with his usual air of having blundered in by mistake, embarrassed by his hat and great-coat, and thrown into deeper confusion by the necessity of being introduced to the ladies grouped about the urn. To the men he threw a gruff nod of fellowship, and Dick having relieved him of his encumbrances, he retreated behind the shelter of Mrs. Peyton's welcome. The latter judiciously gave him time to recover, and when she turned to him he was engaged in a surreptitious inspection of Miss Verney, whose dusky slenderness, relieved against the bare walls of the office, made her look like a young St. John of Donatello's. The girl returned his look with one of her clear glances, and the group having presently broken up again, Mrs. Peyton saw that she had drifted to Darrow's side. The visitors at length wandered back to the workroom to see a portfolio of Dick's water-colours; but Mrs. Peyton remained seated behind the urn, listening to the interchange of talk through the open door while she tried to coördinate her impressions.

She saw that Miss Verney was sincerely interested in Dick's work: it was the nature of her interest that remained in doubt. As if to solve this doubt, the girl presently reappeared alone on the threshold, and discovering Mrs. Peyton, advanced toward her with a smile.

"Are you tired of hearing us praise Mr. Peyton's things?" she asked, dropping into a low chair beside her hostess. "Unintelligent admiration must be a bore to people who know, and Mr. Darrow tells me you are almost as learned as your son."

Mrs. Peyton returned the smile but evaded the question. "I should be sorry to think your admiration unintelligent," she said. "I like to feel that my boy's work is appreciated by people who understand it."

"Oh, I have the usual smattering," said Miss Verney carelessly. "I *think* I know why I admire his work; but then I am sure I see more in it when some one like Mr. Darrow tells me how remarkable it is."

"Does Mr. Darrow say that?" the mother exclaimed, losing sight of her object in the rush of maternal pleasure.

"He has said nothing else: it seems to be the only subject which loosens his tongue. I believe he is more anxious to have your son win the competition than to win it himself."

"He is a very good friend," Mrs. Peyton assented. She was struck by the way in which the girl led the topic back to the special application of it which interested her. She had none of the artifices of prudery.

"He feels sure that Mr. Peyton *will* win," Miss Verney continued. "It was very interesting to hear his reasons. He is an extraordinarily interesting man. It

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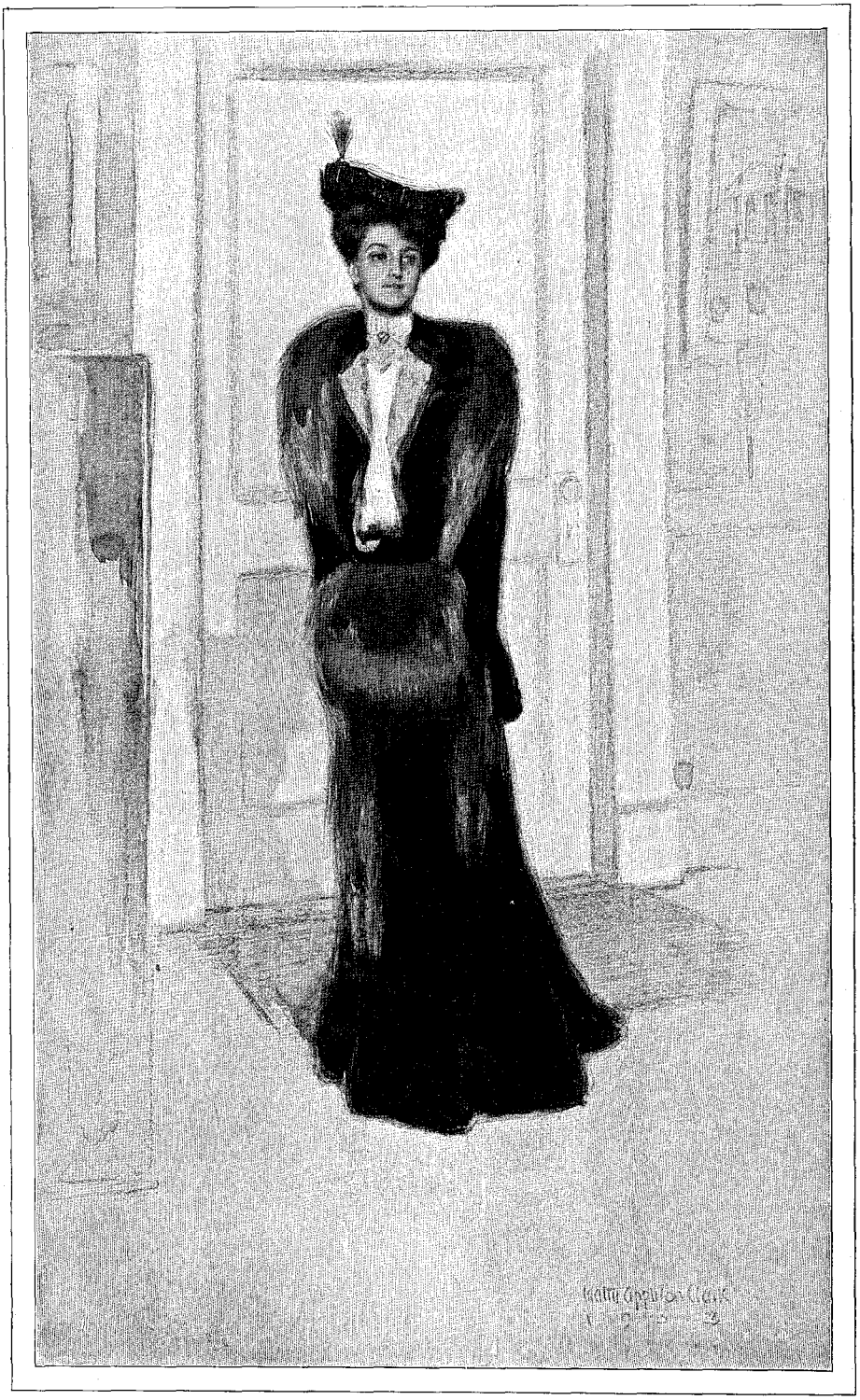

Drawn by Walter Appleton Clark.

Miss Verney.

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must be a tremendous incentive to have such a friend."

Mrs. Peyton hesitated. "The friendship is delightful; but I don't know that my son needs the incentive. He is almost too ambitious."

Miss Verney looked up brightly. "Can one be?" she said. "Ambition is so splendid! It must be so glorious to be a man and go crashing through obstacles, straight up to the thing one is after. I'm afraid I don't care for people who are superior to success. I like marriage by capture!" She rose with her wandering laugh, and stood flushed and sparkling above Mrs. Peyton, who continued to gaze at her gravely.

"What do you call success?" the latter asked. "It means so many different things."

"Oh, yes, I know—the inward approval, and all that. Well, I'm afraid I like the other kind: the drums and wreaths and acclamations. If I were Mr. Peyton, for instance, I'd much rather win the competition than—than be as disinterested as Mr. Darrow."

Mrs. Peyton smiled. "I hope you won't tell him so," she said, half-seriously. "He is over-stimulated already; and he is so easily influenced by any one who—whose opinion he values."

She stopped abruptly, hearing herself, with a strange inward shock, re-echo the words which another man's mother had once spoken to her. Miss Verney did not seem to take the allusion to herself, for she continued to fix on Mrs. Peyton a gaze of impartial sympathy.

"But we can't help being interested!" she declared.

"It's very kind of you; but I wish you would all help him to feel that this competition is after all of very little account compared with other things—his health and his peace of mind, for instance. He is looking horribly used up."

The girl glanced over her shoulder at Dick, who was just re-entering the room at Darrow's side.

"Oh, do you think so?" she said. "I should have thought it was his friend who was used up."

Mrs. Peyton followed the glance with surprise. She had been too preoccupied to notice Darrow, whose crudely-modelled face was always of a dull pallour, to which his slow-moving grey eye lent no relief except in rare moments of expansion. Now the face had the fallen lines of a death mask, in which only the smile he turned on Dick remained alive; and the sight smote her with compunction. Poor Darrow! He did look horribly fagged-out: as if he needed care and petting and good food. No one knew exactly how he lived. His rooms, according to Dick's report, were fireless and ill-kept, but he stuck to them because his landlady, whom he had fished out of some financial plight, had difficulty in obtaining other lodgers. He belonged to no club, and wandered out alone for his meals, mysteriously refusing the hospitality which his friends pressed on him. It was plain that he was very poor, and Dick conjectured that he sent what he earned to an aunt in his native village; but he was so silent about such matters that, outside of his profession, he seemed to have no personal life.

Miss Verney's companion having presently advised her of the lapse of time, there ensued a general leave-taking, at the close of which Dick accompanied the ladies to their carriage. Darrow was meanwhile blundering into his great-coat, a process which always threw him into a state of perspiring embarrassment; but Mrs. Peyton, surprising him in the act, suggested that he should defer it and give her a few moments' talk.

"Let me make you some fresh tea," she said, as Darrow blushingly shed the garment, "and when Dick comes back we'll all walk home together. I haven't had a chance to say two words to you this winter."

Darrow sank into a chair at her side and nervously contemplated his boots. "I've been tremendously hard at work," he said.

"I know: *too* hard at work, I'm afraid. Dick tells me you have been wearing yourself out over your competition plans."

"Oh, well, I shall have time to rest now," he returned. "I put the last stroke to them this morning."

Mrs. Peyton gave him a quick look. "You're ahead of Dick, then."

"In point of time only," he said, smiling.

"That is in itself an advantage," she answered with a tinge of asperity. In spite of an honest effort for impartiality she could not, at the moment, help regarding Darrow as an obstacle in her son's path.

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Drawn by Walter Appleton Clark.

"Let me make you some fresh tea," she said.—Page 286.

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"I wish the competition were over!" she exclaimed, conscious that her voice had betrayed her. "I hate to see you both looking so fagged."

Darrow smiled again, perhaps at her studied inclusion of himself.

"Oh, *Dick's* all right," he said. "He'll pull himself together in no time."

He spoke with an emphasis which might have struck her, if her sympathies had not again been deflected by the allusion to her son.

"Not if he doesn't win," she exclaimed.

Darrow took the tea she had poured for him, knocking the spoon to the floor in his eagerness to perform the feat gracefully. In bending to recover the spoon he struck the tea-table with his shoulder, and set the cups dancing. Having regained a measure of composure, he took a swallow of the hot tea and set it down with a gasp, precariously near the edge of the tea-table. Mrs. Peyton rescued the cup, and Darrow, apparently forgetting its existence, rose and began to pace the room. It was always hard for him to sit still when he talked.

"You mean he's so tremendously set on it?" he broke out.

Mrs. Peyton hesitated. "You know him almost as well as I do," she said. "He's capable of anything where there is a possibility of success; but I'm always afraid of the reaction."

"Oh, well, Dick's a man," said Darrow bluntly. "Besides, he's going to succeed."

"I wish he didn't feel so sure of it. You mustn't think I'm afraid for him. He's a man, and I want him to take his chances with other men; but I wish he didn't care so much about what people think."

"People?"

"Miss Verney, then: I suppose you know."

Darrow paused in front of her. "Yes: he's talked a good deal about her. You thinks she wants him to succeed?"

"At any price!"

He drew his brows together. "What do you call any price?"

"Well—herself, in this case, I believe."

Darrow bent a puzzled stare on her. "You mean she attaches that amount of importance to this competition?"

"She seems to regard it as symbolical: that's what I gather. And I'm afraid she's given him the same impression."

Darrow's sunken face was suffused by his rare smile. "Oh, well, he'll pull it off then!" he said.

Mrs. Peyton rose with a distracted sigh. "I half hope he won't, for such a motive," she exclaimed.

"The motive won't show in his work," said Darrow. He added, after a pause probably devoted to the search for the right word: "He seems to think a great deal of her."

Mrs. Peyton fixed him thoughtfully. "I wish I knew what *you* think of her."

"Why, I never saw her before."

"No; but you talked with her to-day. You've formed an opinion: I think you came here on purpose."

He chuckled joyously at her discernment: she had always seemed to him gifted with supernatural insight. "Well, I did want to see her," he owned.

"And what do you think?"

He took a few vague steps and then halted before Mrs. Peyton. "I think," he said smiling, "that she likes to be helped first, and to have everything on her plate at once."

III

AT dinner, with a rush of contrition, Mrs. Peyton remembered that she had after all not spoken to Darrow about his health. He had distracted her by beginning to talk of Dick; and besides, much as Darrow's opinions interested her, his personality had never fixed her attention. He always seemed to her simply a vehicle for the transmission of ideas.

It was Dick who recalled her to a sense of her omission by asking if she hadn't thought that old Paul looked rather more ragged than usual.

"He did look tired," Mrs. Peyton conceded. "I meant to tell him to take care of himself."

Dick laughed at the futility of the measure. "Old Paul is never tired: he can work twenty-five hours out of the twenty-four. The trouble with him is that he's ill. Something wrong with the machinery, I'm afraid."

"Oh, I'm sorry. Has he seen a doctor?"

"He wouldn't listen to me when I sug-

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gested it the other day; but he's so deuced mysterious that I don't know what he may have done since." Dick rose, putting down his coffee-cup and half-smoked cigarette. "I've half a mind to pop in on him to-night and see how he's getting on."

"But he lives at the other end of the earth; and you're tired yourself."

"I'm not tired; only a little strung-up," he returned smiling. "And besides, I'm going to meet Gill at the office by and by and put in a night's work. It won't hurt me to take a look at Paul first."

Mrs. Peyton was silent. She knew it was useless to contend with her son about his work, and she tried to fortify herself with the remembrance of her own words to Darrow: Dick was a man and must take his chance with other men.

But Dick, glancing at his watch, uttered an exclamation of annoyance. "Oh, by Jove, I shan't have time after all. Gill is waiting for me now; we must have dawdled over dinner." He bent to give his mother a caressing tap on the cheek. "Now don't worry," he adjured her; and as she smiled back at him he added with a sudden happy blush: "She doesn't, you know: she's so sure of me."

Mrs. Peyton's smile faded, and laying a detaining hand on his, she said with sudden directness: "Sure of you, or of your success?"

He hesitated. "Oh, she regards them as synonymous. She thinks I'm bound to get on."

"But if you don't?"

He shrugged laughingly, but with a slight contraction of his confident brows. "Why, I shall have to make way for some one else, I suppose. That's the law of life."

Mrs. Peyton sat upright, gazing at him with a kind of solemnity. "Is it the law of love?" she asked.

He looked down on her with a smile that trembled a little. "My dear romantic mother, I don't want her pity, you know!"

Dick, coming home the next morning shortly before daylight, left the house again after a hurried breakfast, and Mrs. Peyton heard nothing of him till nightfall. He had promised to be back for dinner, but a few moments before eight, as she was coming down to the drawing-room, the parlour-maid handed her a hastily-pencilled note. "Don't wait for me," it ran. "Darrow is ill and I can't leave him. I'll send a line when the doctor has seen him."

Mrs. Peyton, who was a woman of rapid reactions, read the words with a pang. She was ashamed of the jealous thoughts she had harboured of Darrow, and of the selfishness which had made her lose sight of his troubles in the consideration of Dick's welfare. Even Clemence Verney, whom she secretly accused of a want of heart, had been struck by Darrow's ill-looks, while she had had eyes only for her son. Poor Darrow! How cold and self-engrossed he must have thought her! In the first rush of penitence her impulse was to drive at once to his lodgings; but the infection of his own shyness restrained her. Dick's note gave no details: the illness was evidently grave, but might not Darrow regard her coming as an intrusion? To repair her negligence of yesterday by a sudden invasion of his privacy might be only a greater failure in tact; and after a moment of deliberation she resolved on sending to ask Dick if he wished her to go to him.

The reply, which came late, was what she had expected. "No; we have all the help we need. The doctor has sent a good nurse and is coming again later. It's pneumonia, but of course he doesn't say much yet. Let me have some beef-juice as soon as the cook can make it."

The beef-juice ordered and despatched, she was left to a vigil in melancholy contrast to that of the previous evening. Then she had been enclosed in the warm circle of her maternal cares; now the barriers of self were broken down, and her personal preoccupations swept away on the current of a wider sympathy. As she sat there in the radius of lamp-light which, for so many evenings, had held Dick and herself in a charmed circle of tenderness, she saw that her love for her boy had come to be merely a kind of extended egotism. Love had narrowed instead of widening her, had rebuilt between herself and life the very walls which, years and years before, she had laid low with bleeding fingers. It was horrible, how she had come to sacrifice everything to the one passion of ambition for her boy. . . .

At daylight she sent another messenger, one of her own servants, who returned without having seen Dick. Mr. Peyton

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had sent word that there was no change. He would write later; he wanted nothing. The day wore on drearily. Once Kate found herself computing the precious hours lost to Dick's unfinished task. She blushed at her ineradicable selfishness, and tried to turn her mind to poor Darrow. But she could not master her impulses; and now she caught herself indulging the thought that his illness would at least exclude him from the competition. But no—she remembered that he had said his work was finished. Come what might, he stood in the path of her boy's success. She hated herself for the thought, but it would not down.

Evening drew on, but there was no note from Dick. At length, in the shamed reaction from her fears, she rang for a carriage and went upstairs to dress. She could stand aloof no longer: she must go to Darrow, if only to escape from her wicked thoughts of him. As she came down again she heard Dick's key in the door. She hastened her steps, and as she reached the hall he stood before her without speaking.

She looked at him and the question died on her lips. He nodded and walked slowly past her.

"There was no hope from the first," he said.

The next day Dick was taken up with the preparations for the funeral. The distant aunt who appeared to be Darrow's only relation had been duly notified of his death; but no answer having been received from her, it was left to his friend to fulfill the customary duties. He was again absent for the best part of the day; and when he returned at dusk Mrs. Peyton, looking up from the tea-table behind which she awaited him, was startled by the deep-lined misery of his face.

Her own thoughts were too painful for ready expression, and they sat for a while in a mute community of wretchedness.

"Is everything arranged?" she asked at length.

"Yes. Everything."

"And you have not heard from the aunt?"

He shook his head.

"Can you find no trace of any other relations?"

"None. I went over all his papers. There were very few, and I found no address but the aunt's." He sat thrown back in his chair, disregarding the cup of tea she had mechanically poured for him. "I found this, though," he added after a pause, drawing a letter from his pocket and holding it out to her.

She took it doubtfully. "Ought I to read it?"

"Yes."

She saw then that the envelope, in Darrow's hand, was addressed to her son. Within were a few pencilled words, dated on the first day of his illness, the morrow of the day on which she had last seen him.

"Dear Dick," she read, "I want you to use my plans for the Museum if you can get any good out of them. Even if I pull out of this I want you to. I shall have other chances, and I have an idea this one means a lot to you."

Mrs. Peyton sat speechless, gazing at the date of the letter, which she had instantly connected with her last talk with Darrow. She saw that he had understood her and the thought scorched her to the soul.

"Wasn't it glorious of him?" Dick said.

She dropped the letter and hid her face in her hands.

(To be continued.)

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LYRICS FROM SAPPHO*

By Bliss Carman

HESPERUS, bringing together
All that the morning star scattered,—

Sheep to be folded in twilight,
Children for mothers to fondle,—

Me, too, will bring to the dearest,
Tenderest breast in all Lesbos.

Well I found you in the twilit garden,
Laid a lover's hand upon your shoulder,
And we both were made aware of loving
Past the reach of reason to unravel
Or the much-desiring heart to follow.

There we heard the breath among the grasses
And the gurgle of soft running water,
Well contented with the spacious starlight,
The cool wind's touch and the deep blue distance,
Till the dawn came in with golden sandals.

There is a medlar tree
Growing in front of my lover's house,
And there all day
The wind makes a pleasant sound.

And when the evening comes,
We sit there together in the dusk
And watch the stars
Appear in the quiet blue.

The courtyard of her house is wide
And cool and still when day departs.
Only the rustle of leaves is there
And running water.

And then her mouth, more delicate
Than the frail wood-anemone,
Brushes my cheek, and deeper grow
The purple shadows

I grow weary of the foreign cities,
The sea-travel and the stranger peoples.
Even the clear voice of hardy fortune
Dares me not as once on brave adventure.

For the heart of man must seek and wander,
Ask and question and discover knowledge,
Yet above all goodly things is wisdom,
And love greater than all understanding.

So, a mariner, I long for land-fall,—
When a darker purple on the sea-rim,
O'er the prow uplifted, shall be Lesbos
And the gleaming towers of Mitylene.

* In these verses an attempt has been made at an imaginary paraphrase of the lost lyrics of Sappho—making use from time to time, as will be seen, of the existing fragments.—B. C.

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If death be good,
Why do the gods not die?
If life be ill,
Why do the gods still live?

If love be naught,
Why do the gods still love?
If love be all,
What should men do but love?

It never can be mine
To sit in the door in the sun,
And watch the world go by,
A pageant and a dream;

For I was born for love,
And fashioned for desire,
Beauty, passion, and joy,
And sorrow and unrest;

And with all things of earth
Eternally must go,
Daring the perilous bourne
Of joyance and of death,—

A strain of song by night,
A shadow on the hill,
A hint of odorous grass,
A murmur of the sea.

Over the roofs the honey-colored moon,
With purple shadows on the silver grass,

And the warm south wind on the curving sea,
While we two, lovers past all turmoil now,

Watch from the window the white sails come in,
Bearing what unknown ventures safe to port!

So falls the hour of twilight and of love
With wizardry to loose the hearts of men,

And there is nothing more in this great world
Than thou and I and the blue dome of dusk.

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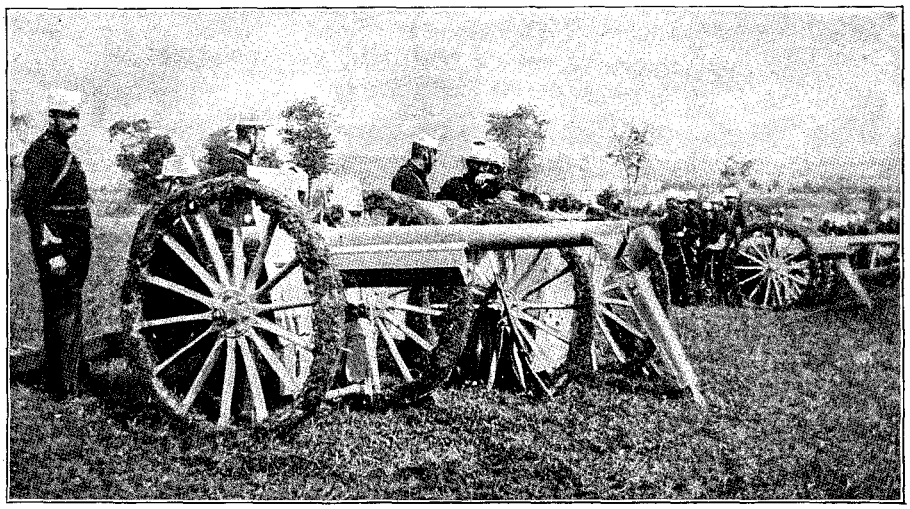
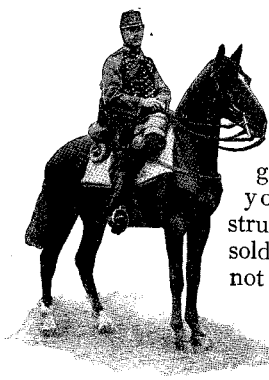


Field artillery in action.

WORK AND PLAY OF THE MILITARY ATTACHÉS

By Captain T. Bentley Mott

Military Attaché to the American Embassy at Paris



If you have ever made anything of a journey on the country roads of France during August or early September, you must have been struck with the number of soldiers seen at every turn; not soldiers out in their best clothes for a holiday, but organized bodies with arms in their hands, and packs on their backs; a squad at the bridge, a picket at the cross-roads, a battery on the neighboring hill, a regiment sitting in the interminable ditch that borders the highway or lying in the fields that slope away from it.

These men are at manœuvres, and hard work with little fun they are for everybody, yet eagerly anticipated as is any change that brings a break in garrison monotony. But there is another reason why the period of the manœuvres is a happy one for the soldiers. It is for them what commencement time is to the collegian, and the long marches, the nights in granaries or on the grass, the two o'clock reveille, are all forgotten in the thought that soon the work will be over, and then there will be furloughs for many, and permanent home-going for at least one-third of them all.

The manœuvres are the crowning point in the instruction and in the efficiency of the army, and for many of the officers they constitute a veritable annual examination on which the future of their career may largely depend. When they are over, the soldiers who have completed three years of service go home, rejoicing in their liberty and the sight of the dear faces and familiar scenes of "their country." *Mon pays* to the Frenchman of the lower class means his town, his "quartier," his village; the rest of France is as far to him as the Indies.

The soldiers who are left have very little to do for a month or so. Many are given furloughs, and most of the officers go on leave until the new recruits arrive. Then the wheels of the factory which turns out 180,000 soldiers a year are once more put in motion, not to stop again for another ten months

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People who live in America, where soldiers are few and rarely seen, where no one need serve unless he chooses, can understand only by an effort of the imagination all that the French army is to a Frenchman. It represents no mere instrument of the Government for distant expeditions, or a first line of defence in case of some vaguely possible war; to him the army is a barrier against an ever-present and dangerous flood, a bulwark whose strength ensures not his country's peace alone, but her very existence. What affects the army, then, affects him; its glory is his happiness, its weakness, his despair.

But there is another intimate reason for this unfailing interest. There is no family in France where the father, brother, uncle, or cousin, has not served, or is not serving, in its ranks, and to even the women the details of military life are as familiar as last year's fashions.

While every regiment of the army spends about two weeks of the summer in manœuvres of brigade, division, or corps, special interest attaches to what are always designated the Grand Manœuvres. These consist of the evolutions, as nearly as possible on a war footing, of two or more army corps, involving the assembling, marching, and fighting of from 45,000 to 140,000 men. The mere spectacle this affords, terminated as it often is with a review by the President, draws a vast crowd of sightseers, who are by no means incapable of appreciating the points of the game. At this period the daily and weekly papers of every city and town in the country devote many columns each morning to the details of the previous day's exercise and criticisms of the work of generals and troops. To read these one would think that every editor in France was a ripe military critic, and, indeed, it is true that many of the papers have men of first-rate military talent on their staffs.

It is to these Grand Manœuvres that foreign nations are invited to send officers, who are entertained during their stay at the expense of the Government.

Nothing is more characteristic of French hospitality than the minutiæ of the arrangements made to receive and care for these officers, and the largeness, even extravagance, which attends their entertainment. Americans who have lived much in France often remark how seldom French people do anything informally. If the average Frenchman, fresh from the acquisition of transatlantic habits, should telephone home late some afternoon that he was bringing a couple of friends to dinner, it is likely that his less advanced wife would find means to prevent the renewal of such disconcerting hospitality. The French do not enjoy these surprises. If a guest is coming they like to have sufficient warning to enable them to receive him with due honor, start the drawing-room fire, set out the best china, add a course or two to the dinner, and in general be sure that when the best foot is put forward it has the best shoe on it.

This trait is characteristic of the nation in official as well as in family life. They like to give an invitation in due form for a fixed date, and upon its acceptance make their arrangements to receive their guests; and, indeed, he would be hard to please who found any fault with a habit which brings with it an exquisite cordiality toward the stranger, a deference toward his wishes and an anticipation of whatever can add to his comfort and pleasure.

The officer who has been designated by his government to attend the manœuvres is requested to present himself on a certain day and hour at a certain room in the Ministry of War. Here the Chief Intelligence Officer receives and welcomes him, and then proceeds with a short examination: "What is your weight? Are you a good rider? Do you prefer a quiet horse? Do you ride an English saddle or have you brought your own? Where are you staying in Paris? What is the date of your commission? Please tell me how to pronounce your name," etc., etc. The usefulness of these questions is evident, but it requires the French genius for detail to think of that and to take care of thirty men of all the nations of the world, foreseeing absolutely *everything*, from religious and political distinctions to the *amour propre* which prevents any man from acknowledging he is not a good rider.

After this information is recorded, the officer is asked to come in full uniform to the residence of the Minister of War at half-past two on such a date to be presented.

The first time he faces this ceremony, an American or an Englishman is likely to

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A group of foreign officers at the manœuvres of 1902.

Reading from left to right: France, Argentine Republic, Spain, Portugal, Bulgaria, France, France, Switzerland, Japan, Germany, Spain, France, Holland, Austria, Chili, France, Italy, United States, Spain, France, Greece, Russia, Denmark.

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Field artillery in action.
Rear view of gun and caisson.

ask himself whether our way of glaring blankly at people we do not know—especially when we are sure that sooner or later we are bound to be introduced to them—is, after all, superior to the custom prevailing in Continental Europe.

The American walks into the large drawing-room where, perhaps, twenty officers are assembled. He knows they are all every-day sort of people like himself, but he cannot help being a little impressed with their varied and strange magnificence. He goes over to the French officer who put him through his examination the day before, shakes hands, and asks him fervently whether he is well; he is so glad to see somebody with whom he has a speaking acquaintance. He then turns to look about the circle, which inevitably recalls the Eden Musée. Nobody says anything to him, he knows no one, and so, like the rest, he solidifies into waxen silence.

Just then a Russian or a Belgian or a Bulgarian comes in. He pauses in front of the first man he encounters, gets his heels together, pronounces his name and title, and extends his hand. The other does the same thing and, behold, as simply as that, they know each other! The new arrival repeats this ceremony in front of every person in the semi-circle, which seems to have formed itself expressly to facilitate the manœuvre, and then he, too, chooses a spot on which to petrify.

It is much better than our way, saves the master of ceremonies the repetition of thirty unpronounceable names thirty times over, and if you have not been introduced to everybody in the room, 'tis your own fault.

The Minister now arrives, though not until the French officers almost imperceptibly have arranged the whole row of foreigners in a vast arc, according to rank. Then comes a *tour de force* for the Chief Intelligence Officer. Preceding the Minister one pace, he pronounces to him the title, name, and country of each officer—frequently there are from twenty to thirty—and, as far as my experience goes, invariably without hesitation or mistake. If anyone thinks that the Chief Intelligence Officer in France is not selected for ability, let him try to do the same.

The Minister then makes a short speech of welcome, always concluding with "gentlemen, I will now say *au revoir* until we shall meet upon the terrain," and departs. After this each officer receives a large envelope, and those who have been to the manœuvres before go home. The others stop to ask a few hundred perfectly natural questions, every one of which is answered beforehand in the printed slips contained in the envelope. That is why the knowing ones have gone home.

I have no intention of indexing the contents of that envelope; it is sufficient to say

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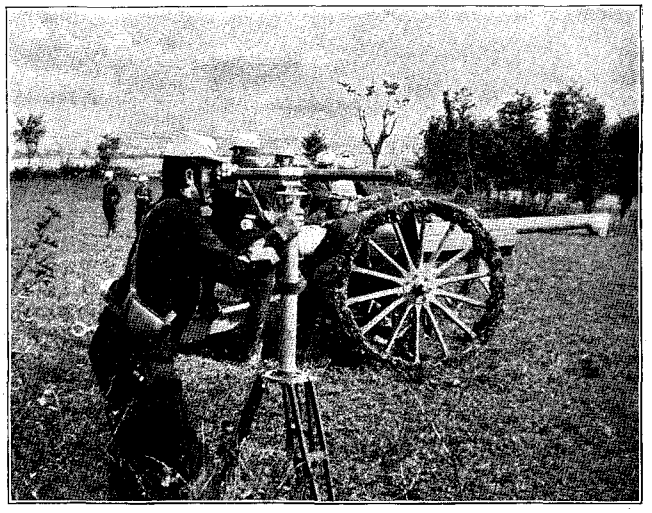
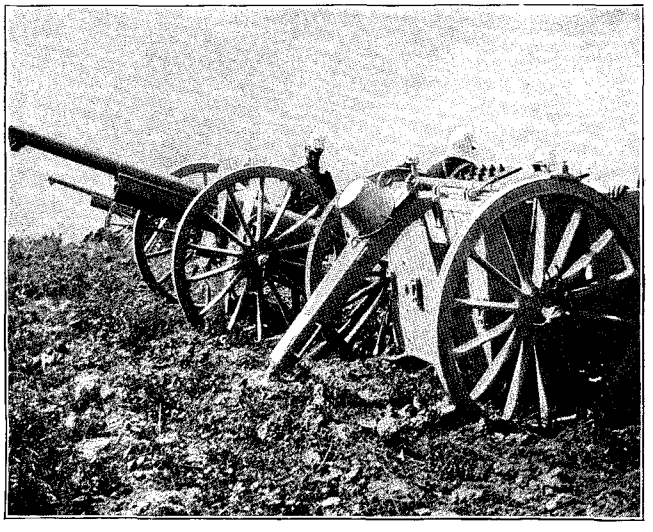
that when I packed my trunks I found in it the labels to paste on them; when I considered whether I should dine before going to the station, I not only learned that we dined on the train, but found a sketch indicating my seat in the car and the names of the other officers at my table.

From this moment, until ten days later, when he is set down at his quarters in Paris by a cabman, who is probably already engaged and knows the name of his fare, the foreign officer moves like a locomotive upon a strategic track laid by the French engineers. He glides so smoothly and so agreeably, with such interesting conversation and jolly companions withal, that he does not perceive that he is on rails, or if he does, the places where he wants to slow up, go fast, or take a branch line, seem known already, and 'tis done before he can ask for it.

During one week the foreign officers are the guests of the Government, and this period covers the most interesting of the manœuvres, involving the largest number of troops. Usually the best hotel in one of the towns near the scene of action is appropriated to them wholly or in part; a special train takes the party from Paris, remains for their daily use and takes them back; a horse, a groom, a mounted orderly and a striker* are assigned to each man, and six or seven French officers are detailed to see that nothing is needed for the comfort of the luxurious or the information of the inquisitive.



The battery telescope.



Field artillery in action. The new 75 mm. gun.

The bottom of the caisson—turned toward the enemy in action—is of steel plate; the doors are of steel plate; the gun has shields; all the cannoneers are thus protected from infantry fire coming from the front.

For the last three years the supreme direction of all the manœuvres has fallen to General Brugère,† an officer now well known in the

*Each French officer is allowed a soldier servant who generally is most capable, being often a *valet de chambre* doing his military service. This man is called an "ordonnance." Before the custom was prohibited in the American service, our term for such a man was "striker."

†There is no commanding general of the French army, the highest grade being general of division. The Minister of War (who may or may not be an officer of the army) commands the army directly, and even the orders of the President, to be legal, must be countersigned by him. However, the Vice-President of the Conseil Supérieur de Guerre is the officer designated in time of peace to command the principal army or armies of France in case of war, and to fit him for this task he directs all the great manœuvres, witnesses the lesser ones, and in general supervises the whole field instruction of the army. This is the position now held by General Brugère.

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United States for the happy impression he made as the head of the Rochambeau Mission of 1902. A more fortunate selection would be hard to imagine, both for France and for her foreign guests toward whom he acts as host.

It is not a small thing that one man should unite the distinguished manners and *savoir vivre* of a diplomat with the straightforward ways and direct speech dear to professional soldiers; but this General Brugère does, and it brings him love and confidence in the service and out of it. Amidst all the dissensions and disputes that rage over the army in France, there is heard nothing but praise for the talent and industry with which he devotes himself to sharpening the great instrument confided to his hands.

On the firing line.

General Brugère's recollections of his recent visit to America procured me the pleasure of many a chat with him in the pauses of the manœuvres last autumn, and he seemed always glad to revert to the two things which most pleased and impressed him in all that he found on the other side of the Atlantic: the American woman and Colonel Roosevelt.

The night the foreign officers arrived at the headquarters in the field was always signalized by a dinner given to them and the senior officers of the army present by the general directing the manœuvres; after this the daily routine followed with unbroken regularity. We were waked at about four o'clock in the morning, had a light breakfast and got to the railway station about half-past five, whence the special train took us to a point near the outposts of the previous night. Here we found our horses and orderlies, and once mounted, were free to go where we chose—in groups, in a body, or singly.

With a good horse and well-mounted orderly, a map of the country and the orders for the day's movements in your pocket, all France and a fair portion of her army spread before you, it may be imagined that the sensation is distinctly exhilarating as you leave the road to prick across the fields, all fresh and moist as they usually are from the rain of the night before.

After riding for about twenty minutes you come upon a squadron of chasseurs halted in the sunken road crossing your course; further on, a few horsemen are trotting back to report the result of their reconnaissance; then a messenger goes galloping off to the rear with a report for his general, while you push on to the crest of a hill and just see in the distant fields the white caps of the enemy's infantry. They are no enemy for you, so you ride peacefully on, quickening your gait as

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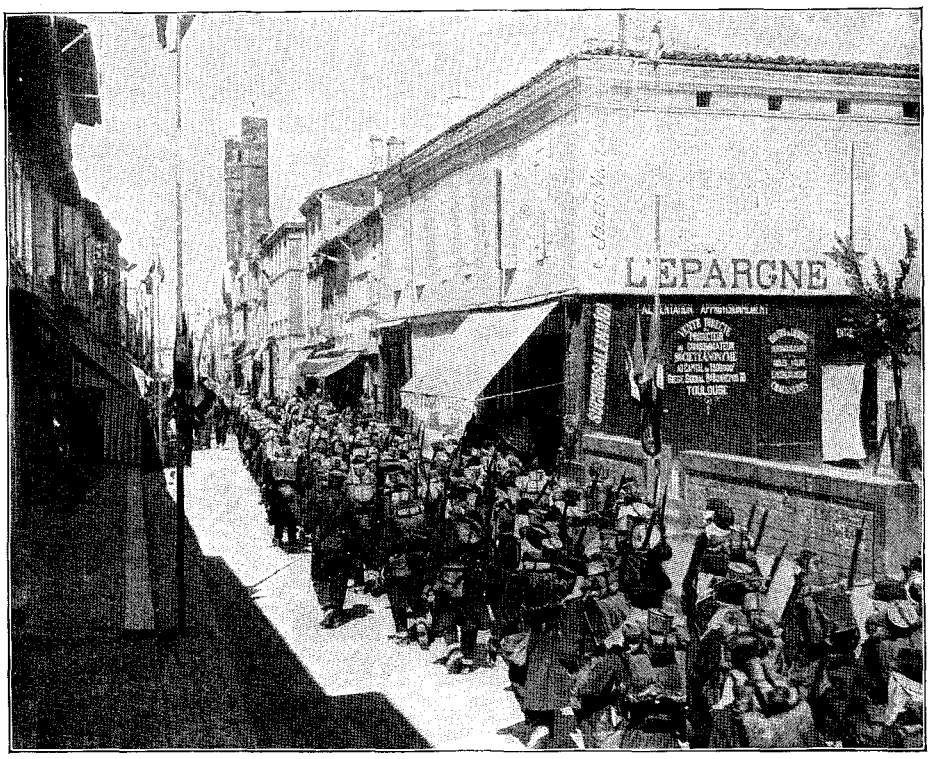

Column going through a village.

you catch sight of a column of artillery in the distance leaving the road to take position behind the crest of the hill that lies before you. A big field of growing corn appears in that direction, the ground is heavy from recent ploughing and the rains, you want to catch the gunners in their worst troubles, and so you gallop ahead.

As often as you have seen it, you never tire of watching this artillery, believed to be the best in the world, pick out its place with calm judgment, come up quietly and with no appearance of hurry, unlimber behind the crest, concealed and protected from the enemy, and yet at once open fire with range and direction fairly good, which a few trial shots soon reduce to accuracy.

They are in the cornfield now, and the stalks crackle under the heavy wheels; maybe it is the drivers' whips you hear, for their horses have to tug to get up the slope.

Suddenly a regiment of cavalry is perceived moving back toward the flank of its infantry; it is exposed for only a minute or two, but in that time the guns have been brought to bear on the new target, and rapid fire is ordered. This gives you an idea of what it means to be able, in a pinch, to fire twenty shots a minute; the first half go wild, but the last have the correct range and they sound as rapid as a pompom. The cavalry is galloping hard now to get under the hill, but that minute would have cost them dear if shrapnel as well as powder had been in the guns.

You have joined the attacking army as was your intention, and now in rear more artillery is seen coming up and taking position; further back, between these hill-tops the masses of infantry are beginning to appear; later on they spread out, advance and detach their scouts and lines of sharpshooters. But now a halt is ordered. The manœuvre is developing too fast; the artillery must be given time to crush the enemy's guns; moreover, the infantry are not crawling slowly along from cover to cover as they would do if the red caps on the other side were really shooting at them. After a while it is deemed that the enemy is pretty well shaken up; his guns are moving off to another position, it is seen that he cannot

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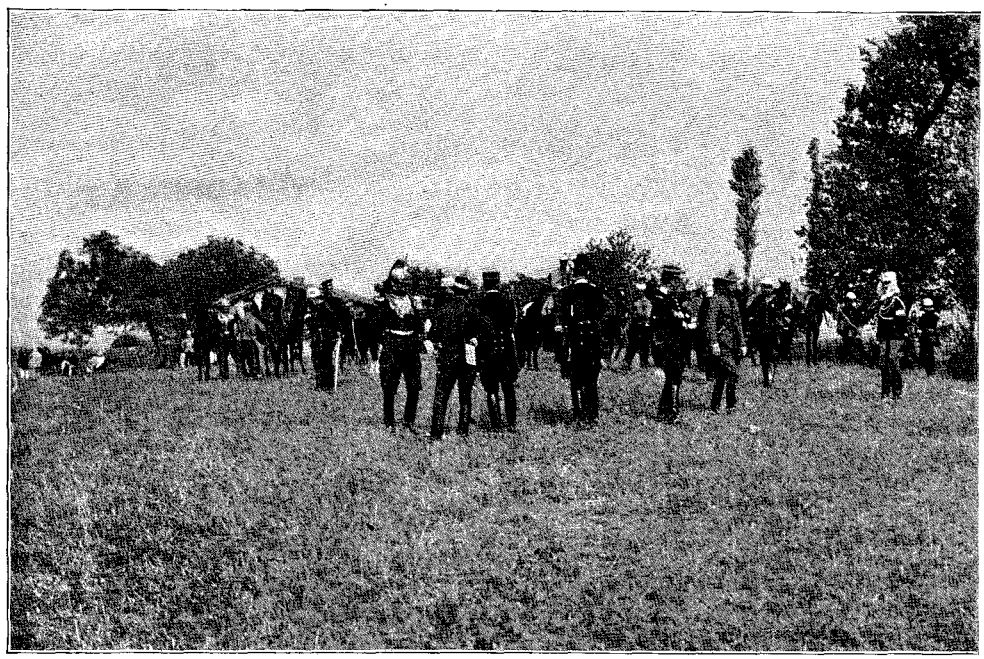

Some of the foreign officers stop at the headquarters of the 17th Corps

hold out where he is; the infantry columns move forward, the little squads have already done so and are lining the ditches you jumped over as you came up to look at the artillery unlimber.

You ride on till you come to the tricolored flag of the division commander, who is on foot walking about, apparently with nothing to occupy him. That is really the case, for he can only kill time until the action has further developed. You present yourself and ask him to be good enough to tell you what he expects to do. He takes your map, and marking it with his pencil, says that "we are right here and the enemy is occupying that line of heights; my reserve is back there and as soon as I hear that the attack of the other division is pronounced, I shall push everything I have against the hill you see here, marked 'moulin'; the best place for you to see the final attack would be here"; and so on. You are very much obliged, borrow a light from the Chief of Staff, try to look unconscious while two or three ladies, who are out to see the fight, take a snap at you with their cameras, mount and ride off to inspect the reserve, as you know the final attack will not come off for an hour.

This final assault is always a stirring sight, whether possible or impossible from the point of view of real war, and as made by the French in great masses of men following line upon line, drums and bugles sounding, red legs flying and throats splitting with yells, it stirs you with a martial excitement hard to resist.

The position having been taken, our poor friends with the white caps fall back to the line already chosen, whence their artillery begins to sound on the ears of the victors as soon as their own retiring infantry are out of the way. You ride over to see how this retreat is conducted, when you perceive a counter-attack preparing to the right of the hill that was lately the matter of such hot dispute. The general commanding the white caps has brought up his reserve and, seeing the weak point between the two divisions opposed to him, pushes them down the hill he holds, across the little stream at the bottom, up the opposite slope, while all the guns he can get thunder from the nearby heights and keep it up till friend and foe are almost meeting.

It is all fine to see and instructive to think about, and you are imagining a minute and critical description, quite unlike

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to present themselves to the General and find out what he intends to do.

this one, which you are going to make of it in your official report. You even photograph the windmill on the hill and the victorious troops, peasants, ladies, generals, foreigners, and newspaper correspondents all mingled and crowded about it.

But now you look at your watch and your map and note that you have just time enough to catch the train by riding hard. You refuse the suggestion of your friend Journu to send off your horse, have breakfast in his automobile and let him spin you luxuriously back to Toulouse. It is tempting; for Journu, besides being General Brugère's chauffeur, is the prince of good fellows and a delightful high private to boot, with an automobile that is larder, cellar, and observation car. But you keep that for another day and think you will be punctilious and join the others on the train.

Fortunately you do not have to bother with roads, so off you go across country to the station. You meet a fellow attaché and begin to tell him what a fine sight that last assault was and how he missed it, when he interrupts and expresses his sympathy that you were not with him about three miles off on the left flank where the two cavalry divisions met and charged each other. This cools your ardor a little and you inwardly determine that to-morrow you will ride with the cavalry, though, of course, you stick to your superiority of judgment and the importance of what you have seen from a purely tactical point of view.

This discussion brings you to the station where the other men are arriving, hot, mud-stained, and dusty, hardly resembling the spick-and-span sights in patent leather, gold lace, and all the colors of the rainbow you saw depart that morning. It reminds you of a hunting field in England, where a fly speck on your breeches at the meet causes more comment than a whole bog on your back at the check.

One of the most picturesque sights of the manœuvres is when the day's fighting is over and the signal "Cease manœuvre" is hoisted on the balloon. This is usually about mid-day, and the ingenuity of the Frenchman in the matter of cooking is then seen in all its variety. French soldiers in the field live by little families of eight, and each family carries all that it needs for its comfort, whether for one, two, or more days, as the case may require. One man carries the utensils for the coffee, even to a strainer

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and mill, another a can for boiling water, another a bundle of dry twigs picked in the morning before the march and packed all day on his knapsack, so that no matter where the halt is made a fire can be started with the dry wood at once.

The English Military Attaché in Khaki.
(Colonel Stuart-Wortley.)

These little fires spring up all over the field as if by magic, and in a few minutes there is under way, besides the inevitable coffee, every conceivable dish that the ration could furnish or the pockets of the men and the shops at last night's cantonment supply. If one of the privates you see chopping up meat, peeling potatoes, or grilling a sausage, happens to be a prince, a duke, or a common-place millionaire, you may be sure that a bottle of good wine, a *paté de foie gras*, or whatever else the village furnished, will eke out the cold meat, bread, and cheese saved from last night's supper.

The French soldier has no more useful habit than this way of caring for himself; he is independent of wagons and can eat, as well as sleep, wherever he halts.

Remember that these men have been up since two o'clock in the morning, some of them on outpost all night; so they are hungry, and possibly tired, tough as they are. They had a cup of coffee and a piece of bread about half-past two or three, and since then they may have crunched a crust, but they have trudged in the boiling sun and dust, or across ploughed fields that caked the feet with snow-shoe clots of mud, from three or four o'clock until noon, and when they have finished the lunch they are cooking (and, perhaps, a nap, if it is warm weather) they may have to march till five, six, or seven o'clock to the night's cantonment.

When our day's work was over and the thirty or forty officers from nearly every civilized country in the world assembled in uniform at one long table for dinner, the sight and the conversation were of no ordinary interest. The meal was always served with a good deal of ceremony and a regimental band playing outside happily filled any pauses due to the juxtaposition of men having no audible means of communication. For the most part, however, all spoke sufficient French to understand anybody except a Frenchman; to do that (strangely enough) requires a greater knowledge of the language than the usual run of army officers possess.

After a few days of this intimate association, good feeling and good dining slackened the formality which first prevailed when all were strangers, and all a little constrained by the desire worthily to represent their services, and when, in consequence, the politeness was sometimes so rigid as to be a bore. I have thus seen a dozen intelligent and hungry human beings stand ten minutes at the dining-room door, each bowing, protesting, and refusing to enter before the others. But the *camaraderie* which is happily characteristic of all soldiers quickly wore away the last remnant of this restraint and it seemed to all that they had been companions for years, instead of days.

The piano too was often a factor in this unbending process and one or two good musicians were sure to be found among the visitors. We were particularly fortunate in this matter last year, for one of the Spanish officers, being able to speak only a little French, made up for it by telling us each night on the piano many beautiful things of his country.

Speaking of Spanish officers reminds me

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of the misapprehension that continues even to-day amongst our people concerning their hostility toward us. As a matter of fact, an American army officer will not find anywhere in Europe more genuine and cordial courtesy than from them. It may come from a long inheritance in this "grave and courtly nation," or spring from the real absence of any sustained enmity toward a people who have brought them much suffering; but where army officers are concerned, it undoubtedly takes its source in that sentiment which was as spontaneous at Santiago as at Fontenoy, and which forms a real and unconscious brotherhood among the military men of all nations in both peace and war.

This comradeship in arms is one of the pleasantest phases of the life at the manœuvres, and manifests itself in a hundred interesting ways. National distinctions and differences, real or imagined, count for nothing whatever, and where coteries are formed they follow simply lines of personal preference.

The recent practice at the Grand Manœuvres has been to start with a "theme" of given conditions for each of the opposing armies, then to let the movements resulting from each day's fighting or manœuvre follow consecutively for several days, thus conforming to the actual conditions found in modern battles between large armies. In 1902, for example, the supposition was something like this: An army is moving north from the Pyrenees; it has pushed an advance guard (the 16th Corps) toward Toulouse with the purpose of seizing that place. An opposing army is moving to meet the invaders and has sent an advance guard of one corps (the 17th) to hold Toulouse and prevent the further progress of the enemy.

With this theme to start with and their initial positions prescribed, the 16th and 17th Corps and a division of cavalry fought and manœuvred for three days, the dispositions of each general depending upon the success or failure of the day before. By keeping an extra brigade in his hand (and sometimes the cavalry) and throwing it on one or the other side, General Brugère brought a realistic element of uncertainty into the game and could make one army or the other retreat as he thought best for the instruction to be obtained.

During these days each corps commander knew of his enemy only what he could learn from reconnaissances and other means used in real war; the umpires (all generals of high rank) decided on the spot whether any movement undertaken was doomed to defeat, and thus whether one party or the other must fall back.

The more real these situations were made the more instructive it was for everybody and the more intense the interest taken.

The last two days are generally devoted to the manœuvres of an army composed of two, three, or four corps, against another army of supposed equal size but really only outlined by a few brigades. Of course, the represented enemy is always pushed back and his positions taken by storm, whereby the year's work is made to close with a

The Prince of the Asturias talking to a brigade commander.
Admiral Fournier stands on the Prince's left.

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grand spectacular sight. Nevertheless, to direct, say, 120,000 men, as at Reims, in 1901, from their widely separated positions of the night against a short front of attack, to properly concert the movements while simulating all the phases of real battle, requires no mean skill on the part of commanding generals and much experience in handling large bodies of troops. The chief value of these manœuvres with strong effectives lies exactly in this opportunity they furnish to the generals and the staff to learn in time of peace what it would be

Starting the fire to cook lunch at the long halt after the "Cease manœuvre" has sounded.

criminal to wait for war to teach them—the sure and swift handling of the units they command.

While the real work of the army does not vary much from year to year, the public and the press, always eager for a novelty, select some feature of each season's manœuvres for their especial attention. One year it is automobiles, balloons, bicycles or a new gun; another it is some important mission of foreign officers or the visit of a royal personage.

Thus, in 1900, much interest attached to the presence of no less than six general officers representing as many different nations; last year the Prince of the Asturias* with a brilliant suite came from Spain, and incidentally delighted everybody with his good looks and frank cordiality.

In 1901 the manœuvres were unusually brilliant, due to the great number of troops concerned and the presence of the Emperor and Empress of Russia. The assembling of these 140,000 men to greet the sovereigns of the allied power, the wonderful spectacle of the assault of a fortified line by nearly the whole of this army and the magnificent review of the closing day, gave to the manœuvres an interest which was felt by every soul in the country.

In the arrangement of these imposing ceremonies, France of to-day maintains her old-time prestige, and it seems to be in the blood of each inhabitant to lend intelligent aid to a final grand result. The perfect ordering of every detail and the consummate grouping into a splendid whole, the feeling for proportion and the unerring taste, would fail of half their effect were they not comprehended and seemingly served by the whole population.

For the review at Reims miles of special railway were built, not only for the Czar, but for the public; nearly a mile of stands was erected and covered with gold and scarlet cloth. A special station and a great

*Charles de Bourbon, Infant d'Espagne, lately married to the sister of the King of Spain.

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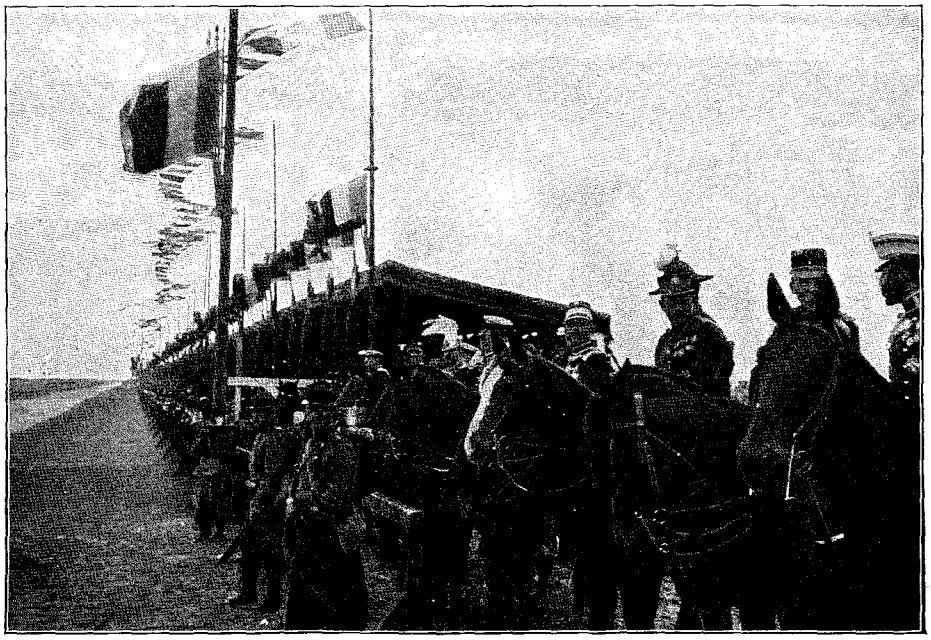

The foreign officers await the arrival of the French President and the Czar at Reims.

One mile of reviewing stands covered with cloth of scarlet and gold.

dining pavilion were constructed especially for his majesty's use, and both seemed too beautiful to be torn down the next day. The vast crowd, which came on foot, in carriages, in automobiles and by endless trains, were taken care of, seated and dispersed with as much ease (and less struggling) as the audience of a Paris theatre any night in the week.

The little touch of contrast needed to heighten and perfect the prevailing note of magnificence throughout these fêtes was furnished by the unaffected simplicity of the Emperor in dress and bearing. He moved about, talked and greeted people with the quiet naturalness of any captain in his suite. But when at the close of breakfast, in the presence of a hundred generals and the ruling men of France, he answered the toast of the President, it was with the manner and words of a king.

At that moment I could not help thinking of the comment I had overheard half an hour before in the ante-room. A servant behind me, guarding the portières, seeing the Emperor walking about the rooms, looking unconcernedly here and there, whispered to his comrade, "Dis, donc, mon vieux, il ne se gêne pas, celui-là!"

The Empress was a delight to all the camera "fiends," for she set them an imperial example. Wherever she went, a tall Cossack followed, bearing a kodak, which she constantly used, and after this I saw many an officer bring out a camera, until then concealed, and boldly snap whatever pleased him. Such is the force of high example.

The Russians were usually the envy of all the visitors for their easy command of foreign languages, but it is a mistake to imagine that all of them have this talent. I have seen Russian officers attending the manœuvres who could not even speak a little French. Another surprising thing about them was that, as a rule, they drank so little. Of course, all Russians are pictured as talking every known language from birth and drinking gallons of rum each day. I can only say that those the Emperor sends to France do neither.

This does not prevent them from being thoroughly good fellows, and with a point of view in most things very sympathetic to an American.

During the manœuvres about Chartres in 1900 the Russian officers were headed by Lieutenant-General Wonlarlarski, who,

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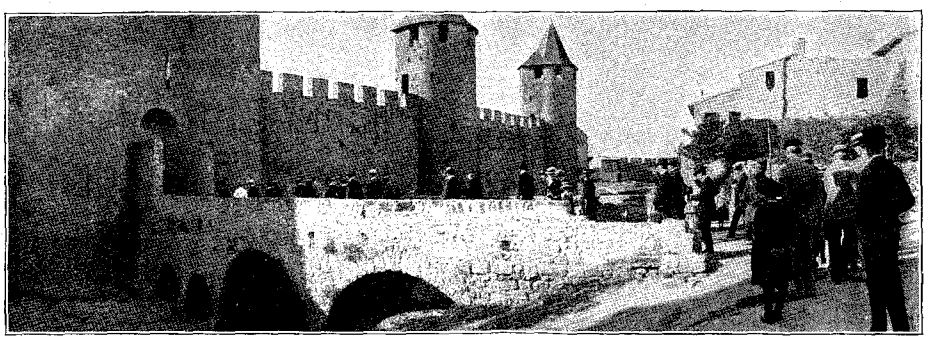
I think, was an aide on the Grand Duke Nicholas's staff during the war of 1877-78. Upon our assembling at the Ministry of War he had himself taken around the circle and every officer in the room introduced to him, to each of whom (not even excepting the Japanese, if I remember correctly) he spoke a few words in his native language. When he came to me and heard the words, "United States," he said in perfect English, "Ah! so you are in the American army. You ought to be able, then, to tell me something of my old friend, Lieutenant Greene." I replied that I had recently had the pleasure of serving on his staff. "His staff, the devil! What is he doing with a staff?" asked the bluff general. "Like yourself, sir," I ventured, "he has not stood still." "Well, you tell him that I want him to send me his photograph. He wrote the best book of any of them about our war, and I think I have read about all," and then he moved on to say something in Roumanian to Captain Miclesco.

A month later I received from Warsaw a photograph inscribed to General Francis V. Greene and another for myself.

In whatever part of France the manœuvres take place, the local population show a keen but polite curiosity in the foreign officers. This interest manifests itself soberly, or with much noise and shouting, according to the latitude and corresponding expansiveness of French disposition. In the north the people will wait in silence for hours to see the visitors, but make never a sign beyond the inevitable "Vive la Russie," which always hails the well-known uniform of the allied nation; in the south, on the other hand, the crowds cheer and applaud as at a political meeting, and give one the feeling of being delightfully welcome. If, however, last year in Languedoc any of us so far yielded to the charm of this southern enthusiasm as to believe it a tribute to his personal value, he was well cured during the visit to Carcassonne.

On a day when the troops were given a rest, the special train took us to this famous old fortress, and the visit had been announced in the local papers. Unfortunately, it was decided as a matter of comfort that we should go in civilian dress. Thus, when the train reached Carcassonne, the enormous crowd of people from all the country round, who had come to see the foreign officers, waited in vain for the much-read-of brilliant company to alight; at last it dawned upon them that the motley and in no way distinguished-looking lot of civilians just leaving the station were the unworthy objects of all this curiosity. Their disappointment and disapproval were then shown nearly as vociferously as would have been their enthusiasm had we worn our uniforms. The whole thing was reduced to its simplest expression by an old peasant whom I heard grunt out: "Pshaw, they are nothing but just men like ourselves!"

And yet, in spite of Carlyle, there are people still left in this world, where all things now seem known, who cannot help believing that "the wearing of white waistcoats" is more than a sign, and has some connection with substance.



The foreign officers in mufti on an excursion to Carcassonne.

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A NIGHT OUT

By F. Hopkinson Smith

ILLUSTRATIONS BY GEORGE WRIGHT

THOREAU once spent the whole live-long night in the hush of the wilderness; sitting alone, listening to its sounds—the fall of a nut, the hoot of a distant owl, the ceaseless song of the frogs.

This night of mine was spent in the open; where men came and went and where the rush of many feet, and the babel of countless voices could be heard even in its stillest watches.

In my wanderings up and down our land, speaking first in one city and then in another, often with long distances between, I have had the good fortune to enjoy many such nights. Some of them are filled with the most delightful memories of my life.

. . . . . .

The following telegram was handed me as I left the stage of the Opera House in Marshall, Mich., some months ago:

"Can you speak in Cleveland to-morrow afternoon at 2.30? Important—Answer."

I looked at my watch. It was half-past ten o'clock. Cleveland was two hundred miles away and the Night Express to Toledo and the East, due in an hour, did not stop at Marshall.

I jumped into a hack out at the hotel entrance and corralled the clerk as he was leaving for the night. For some minutes we pored over a railway guide. This was the result:

Leave Marshall at 1.40 A.M., make a short run up the road to Battle Creek, stay there until half-past three, then back again through Marshall without stopping, to Jackson—lay over another hour and so on to Adrian and Toledo for breakfast, arriving at Cleveland at 11.30 the next morning. An all-night trip, of course, with changes so frequent as to preclude the possibility of sleep, but a perfectly feasible one if the trains made reasonable time and connections.

This despatch went over the wires in reply:

"Yes, weather permitting."

To go upstairs and to bed and to be called in two hours wouldn't pay for the trouble of undressing; better pick out the warm side of the stove, take two chairs and a paper two days old and kill time until one o'clock. I killed it alone—everybody having gone to sleep but the night porter, who was to telephone for the hack and assist with my luggage.

It was a silent night. One of those white cold silent nights when everything seems frozen—the people as well as the ground; no wind, no sounds from barking dogs nor tread of hoof nor rumble of wheels. A light snow was falling—an unnoticed snow, for the porter and I were the only people awake; at eleven o'clock a few whirling flakes; at twelve o'clock an inch deep, packed fine as salt, and as hard; at one o'clock three inches deep, even as a sheet and as unbroken; no furrow of wheels nor slur of footstep. The people might have been in their graves and the snow their winding-shroud.

"Hack's ready, sir." This from the porter, rubbing his eyes and stumbling along with my luggage.

Into the hack again—same hack; it had been driven under the shed, making a night of it, too—my trunk with a red band outside with the driver, my fur overcoat and grip inside with me.

There is nothing princely, now, about this coat; you wouldn't be specially proud of it if you could see it—just a plain fur overcoat—an old friend really—and still is. On cold nights I put it next to the frozen side of the car when I am lying in my berth. Often it covers my bed when the thermometer has dropped to zero and below, and I am sleeping with my window up. It has had experiences, too, this fur coat; a boy went home in it once with a broken leg and his little sister rode with

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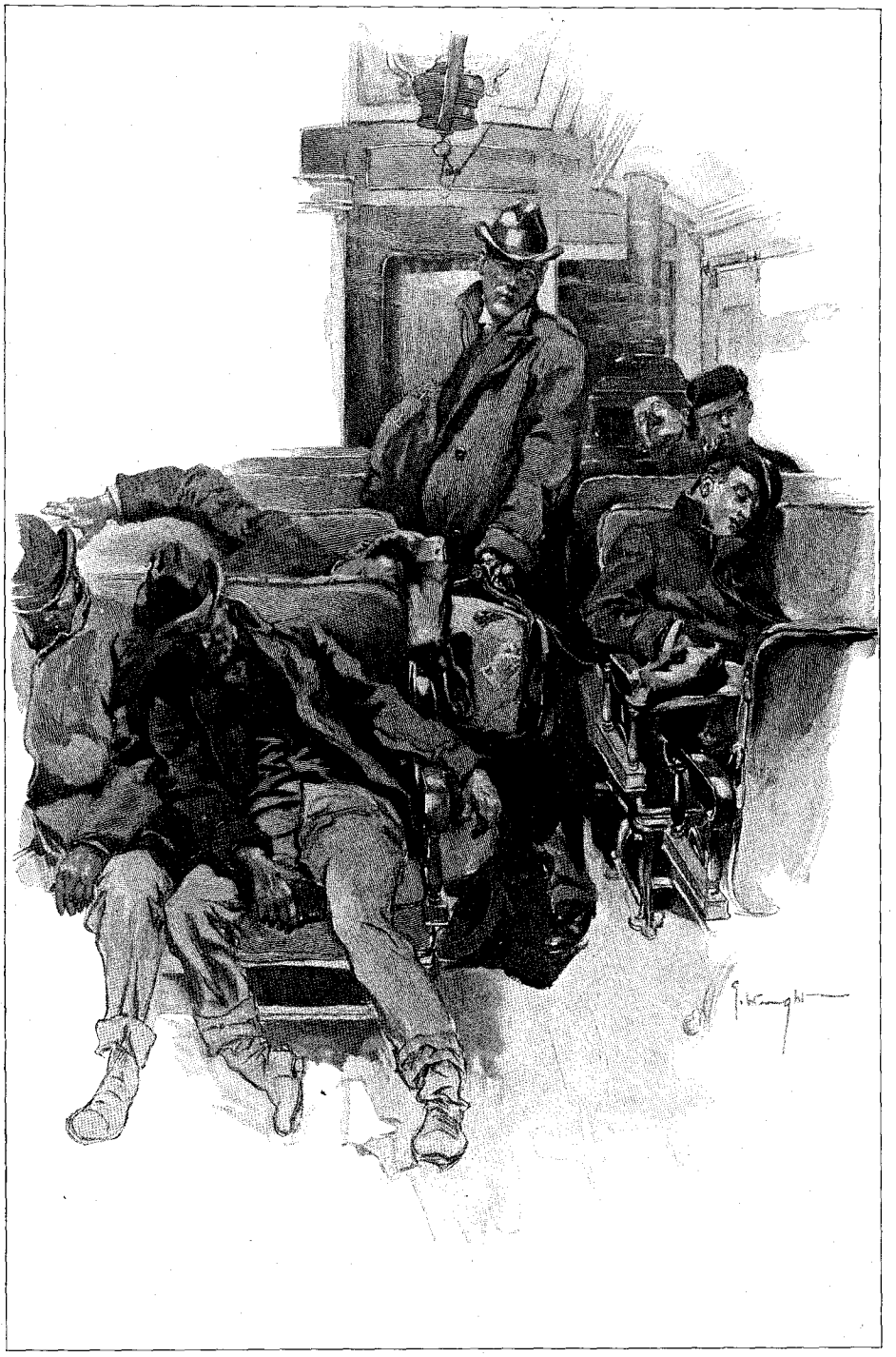

Drawn by George Wright.

Heads and arms and legs made the passage of the aisle difficult.—Page 309.

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her arm around him, and once—but this isn't the place, of course, to tell about it.

From the hotel to the station the spools of the hack paid out two wabbly parallel threads, stringing them around corners and into narrow streets and out again, so the team could find its way back, perhaps.

Another porter now met me—not sleepy this time, but very much awake; a big fellow in a jumper, with a number on his cap, who caught the red-banded trunk by the handle and "yanked" it (admirable word this) on to the platform, shouting out in the same breath "Cleveland via Battle Creek—no extras."

Then came the shriek of the incoming train—a Local bound for Battle Creek and beyond. Two cars on this train, a passenger and a smoker. I lugged the fur overcoat and grip up the snow-clogged steps and entered the smoker. No Pullman on these Locals, and, of course, no porter, and travellers, therefore, did their own lifting and lugging.

The view down the perspective of this smoker was like a view across a battle-field, the long slanting lines of smoke telling of the carnage. Bodies (dead with sleep) were lying in every conceivable position, with legs and arms thrust up as if the victims had died in agony; some face down; others with gaping mouths and heads hooked across the seats. These heads and arms and legs made the passage of the aisle difficult. One—a leg—got tangled in my overcoat, and the head belonging to it said with a groan:

"Where in h— are you goin' with that ——"

But I did not stop. I kept on my way to the passenger coach. It was not my fault that no Pullman with a porter attached was run on this Local.

There was no smoke in this coach—there was nothing that could cause it. Something had happened to the coupling of the steam hose so that it wouldn't couple; or the bottom was out of the hollow mockery called a heater; or the coal had been held up. Whatever the cause, a freight shed was warm beside it. Nor had it any signs of a battle-field. It looked more like a ward in a hospital with most of the beds empty. Only one or two were occupied; one by a baby and another by its mother—the woman on one seat, her hand across the body of the child, and both fast asleep, one little bare foot peeping out from beneath the shawl that covered the child, like a pink flower a-bloom in a desert.

I can always get along in a cold car. It is a hot one that incites me to murder—the porter or the brakeman. I took off the coat I was wearing and laid it flat on a seat. Then came a layer of myself with the grip for a pillow, and then a top crust of my old friend. They might have knocked out the end of the car now and I should have been comfortable. Not to sleep—forty minutes wouldn't be of the slightest service to a night watchman, let alone an all-night traveller—but so as to be out of the way of porterless-passengers lugging grips.

The weather now took a hand in the game. The cold grew more intense, creeping stealthily along, blowing its frosty breath on the windows; so dense on some panes that the lights of the stations no longer shone clear, but were blurred, like lamps in a fog. The incoming passengers felt it and stamped their feet, shedding the snow from their boots. Now and then some traveller, colder than his fellow, stopped at the fraudulent heater to warm his fingers before finding a seat, and, strange to say, passed on satisfied—due to his heated imagination, no doubt.

The blanket of white was now six inches thick, and increasing every minute. The wind was still asleep.

"Guess we're in for it," said the conductor to a ticket stuck in the hat of a man seated in front. "I hear No. 6 is stalled chuck-a-block this side of Schoolcraft. We'll make Battle Creek anyway, and as much furder as we can get, but there ain't no tellin' where we'll bring up."

I thrust my ticket hand through the crust of my overcoat and the steel nippers perforated the bit of cardboard with a click. I was undisturbed. Battle Creek was where I was to get off—what became of the train after that was no affair of mine.

Only one thing worried me as I lay curled up like a cocoon. Was there a hotel at Battle Creek within reasonable distance (walking, of course; no hack would be out a night like this) with a warm side to its stove and two more chairs in which I could pass the two hours of my stay, or would there be only the railroad station—and if the last, what sort of a railroad station?

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One of those bare, varnished, steam-heated affairs with a weighing machine in one corner and a slot machine in the other—or a less modern chamber of horrors with the seats divided by iron arms—instruments of torture for tired, sleepy men which must have been devised in the Middle Ages?

The wind now awoke with a howl, kicked off its counterpane and started out on a career of its own. Ventilators began to rattle; incoming passengers entered with hands on their hats; outgoing passengers had theirs whipped from their heads before they touched the platforms of the stations. The conductor as he passed shook his head ominously:

"Goin' to be a ring-tailed roarer," he said to a man in the aisle whose face was tied up in a shawl with the ends knotted on top of his cap, like a boy with the toothache. "Cold enough to freeze the rivets in the b'iler. Be wuss by daylight."

"Will we make Battle Creek?" I asked, lifting my head from the grip.

"Yes; be there in two minutes. He's blowin' for her now."

Before the brakeman had tightened his clutch on his brake I was on my feet, had shifted overcoats and was leaning against the fraudulent heater ready to face the storm.

It would have been a far-seeing eye that could have discovered a hotel. All I saw as I dropped to the snow-covered platform was a row of gas jets, a lone figure pushing a truck piled up with luggage, one arm across his face to shield it from the cutting snow, and above me the gray mass of the station, its roof lost in the gloom of the wintry night. Then an unencumbered passenger, more active than I, passed me up the wind-swept platform, pushed open a door and he and I stepped into— What did I step into? Well, it would be impossible for you to imagine, and so I will tell you in a new paragraph.

I stepped into a little gem of a station, looking like a library without its books, covered by a low roof, pierced by quaint windows and fitted with a big, deep, all-embracing fire-place ablaze with crackling logs resting on old-fashioned iron dogs, and beside them on the hearth a huge pile of birch wood. A room once seen never to be forgotten—a cosy box of a place, full of curved alcoves and half-round recesses with still smaller windows and a table bearing a silver-plated ice-pitcher and two silver-plated goblets, *unchained* (really, I am telling the truth), and big easy chairs, five or six of them, some of wicker work with cushions, and a straw lounge big enough and long enough to stretch out on at full length. All this, remember, from out a night savage as a pack of wolves, and quite a thousand miles from home.

I gravitated instinctively toward the fire, threw my overcoat and grip on the lounge and looked about me. The one passenger beside myself tarried long enough at the ticket office to speak to the clerk, and then passed on through and out the other door. He lived here, perhaps, or preferred the hotel—wherever that was—to the comforts of the station.

The ticket-clerk locked his office, looked over to where I stood with my back to the blazing fire, my eyes roving around the room, and called out:

"I'm going home now. Hotel's only three blocks away."

"When is the down train due?" I asked.

"Three-thirty."

"Will it be on time?"

"Never stole it. Search me! May be an hour late; may be two," he added with a laugh.

"I'll stay here, if you don't mind."

"Course—glad to have you. You'll want more wood, though. . . . John!" This to the man who had been pushing the truck. "Bring in some more wood—man's going to stay here for No. 8. Good-night." And he shut the door and went out into the storm, his coat sleeve across his face.

John appeared and dropped an armful of clean split silver-backed birch logs in a heap on the hearth, remarking as he bobbed his head good-night: "Guess you won't freeze," and left by the same exit as the clerk, a breath of the North Pole being puffed into the cosy room as he opened and shut the door.

There are times when to me it is a delight to be left alone. I invariably experience it when I am sketching. I often have this feeling too when my study door is shut and I am left with my work and books. I had it in an increased degree this night, with the snow drifting outside, the wind fingering around the windows seeking for an en-

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trance and the whole world sound asleep, except myself. It seemed good to be alone in the white stillness. What difference did the time of night make, or the place, or the storm, or the morrow and what it might bring, so long as I could repeat in a measure the comforts and privacy of my own dear den at home?

I began to put my house in order. The table with the pitcher and goblets was drawn up by the side of the sofa; two easy chairs moved into position—one for my feet and one for my back, where the overhanging electric light would fall conveniently, and another log thrown on the fire, sending the crisp blazing sparks upward. My fur overcoat was next hung over the chair with the fur side out, the grip opened and the several comforts one always carries were fished out and laid beside the ice-pitcher—my flask of Private Stock, a collar-box full of cigars, some books and a bundle of proof with a special delivery stamp—proofs that should have been revised and mailed two days before. These last were placed within reach of my hand.

When all was in order for the master of the house to take his ease, I unscrewed the top of the flask, and with the help of the pitcher and the goblet compounded a comfort. Then I lighted a cigar and began a tour of the room. The windows were banked up with the drift; through the half-blinded panes I could see the flickering gas jets and on the snow below them the discs of white light. Beyond these stretched a ruling of tracks edged by a bordering of empty yard-cars, then a waste of white ending in gloom. The only sounds were the creaking of the depot signs swaying in the wind and the crackle of the logs on my hearth—*mine* now in the isolation, as was everything else about me. Next I looked between the wooden spindles of the fenced-in ticket office and saw where the clerk worked and how he kept his pens racked up and the hook on which he hung his hat and coat, and near it the news-stand locked tight, only the book posters showing over the top, and so on back to my fire and into my fur-lined throne. Then with a sip of P. S., I picked up my proof sheets and began to work.

Before I had corrected my first galley my ear caught the sound of stamping feet outside. Some early train-hand, perhaps, or porter, or some passenger who had misread the schedule; for nothing up or down was to pass the station except, perhaps, a belated freight. Then the door was burst open and a voice as crisp as the gust of wind that ushered it in called out:

"Well, begorra—ye look as snug as a bug in a rug. What d'ye think of this for a night?"

He was approaching the fire now, shaking the snow from his uniform and beating his hands together as he walked.

I have a language adapted to policemen and their kind, and I invariably use it when occasion offers. Strange to say, my delight at being alone had now lost its edge.

"Corker, isn't it?" I answered. "Draw up a chair and make yourself comfortable."

"Well, I don't care if I do. By Jiminy! I thought the ears of me would freeze as I come acrost the yard. What are ye waitin' for—the 3.30?"

"I am. Here, take a nip of this," and I handed him the other goblet and pushed the P. S. his way. Corrupting the Force, I know, but then consider the temptation, and the fact that I was stranded on a lone isle of the sea, or adrift on a detached ice floe (that's a better simile), and he the only other human being within reach.

He raised the flask to his eye, noted the flow line, poured out three fingers, added one finger of water, said "How!" and emptied the mixture into his person. Then I handed him a cigar, laid aside my proofs and began to talk. I not only had a fire and a pile of wood with something to smoke and enough P. S. for two, but I had a friend to enjoy them with me. Marvellous place this Battle Creek!

"Anything doing?" I asked after the storm and the night had been discussed and my lighted match had kindled his cigar.

"Only a couple o' drunks lyin' outside a j'int," he answered, stretching his full length in the chair.

"Did you run 'em in?"

"No, the station was some ways so I tuk 'em inside. I know the feller that runs the j'int an' the back dure was open—" and he winked at me. "They'd froze if I'd left 'em in the drift. Wan had the ears of him purty blue as it wuz."

"Anything else?"

"Well, there was a woman hollerin'

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bloody murther back o' the lumber yard, but I didn't stop to luk her up. They're allus raisin' a muss up there—it was in thim tiniments. Ye know the place." (He evidently took me for a resident or a rounder.) "Guess I'll be joggin' 'long" (here he rose to his feet), "my beat's both sides of the depot an' I daren't stop long. Good luck to ye."

"Will you drop in again?"

"Yes, maybe I will," and he opened the door and stepped out, his hand on his cap as the wind struck it.

The silence settled again. Only the crackling of the sparks, the sound of my pencil on the proof sheets and the moan of the wind.

Half an hour passed.

Then the cough of a distant locomotive, catching its breath in the teeth of the gale, followed by the rumbling of a heavily loaded train, growing louder as it approached, could be heard above the wail of the storm.

When it arrived off my window I rose from my seat and looked out through the blurred glass. The breast of the locomotive was a bank of snow, the fronts and sides of the cars were plastered with the drift. The engineer's head hung out of the cab window, his eye on the swinging signal lights. Huddling close under the lee of the last box car I caught the outline of a brakeman, his cap pulled over his ears, his jacket buttoned tight. The train passed without stopping, the cough of the engine growing fainter and fainter as it was lost in the whirl of the gale. I regained my seat, lighted another cigar and picked up my proofs again.

Another half hour passed. The world began to awake.

First came the clerk with a cheery nod; then the man who had brought in the wood and who walked straight toward the pile to see how much of it was left and whether I needed any more; then the lone passenger who had gone to the hotel and who was filled to the bursting point with profanity, and who emitted it in blue streaks of swear-words because of his accommodations; and last the policeman, beating his chest like a gorilla, the snow flying in every direction.

The circle widened and another log was thrown on the crackling fire. More easy-chairs were drawn up; the policeman in one and the clerk in another. Then the same old pantomime took place over the P.S. and the goblets, and the old collar-box had its lid lifted and did its duty bravely. The lone passenger being ill-tempered and out of harmony with the surroundings, was not invited (What a lot of fun the ill-tempered miss in this world of care!).

Some talk of the road now followed, whether the Flyer would get through to Chicago, the clerk remarking that No. 8 ought to arrive at 3.30, as it was a local and only came from Kalamazoo. Talk, too, of how long I would have to wait at Jackson, and what accommodations the train had, the clerk in an apologetic voice remarking, as he sipped his P. S., that it was a "straight passenger" with nothing aboard that would suit *me*. Talk of the town, the policeman saying that the woman was "bilin' drunk" and he had to run both her and the old man in before the "tiniment got quiet," the lone passenger interpolating from his seat by the steam pipes that—But it's just as well to omit what the lone passenger said, or this paper would never see the light.

At 3.30 the clerk sprang from his chair. He had, with his quick ear, caught the long-drawn-out shriek of No. 8 above the thrash of the storm.

Into my overcoat again, in a hurry this time—everybody helping—the fur one, of course, the other on my arm—a hand-shake all round, out again into the whirl, the policeman carrying the grip; up a slant of snow on the steps of the cars—not a traveller's foot had yet touched it, and into an ordinary passenger coach: All in less than two minutes—less time in fact than it would take to shift the scenery in a melodrama, and with as startling results.

No sleeping corpses here sprawled over seats, with arms and legs thrust up; no mothers watched their children; no half-frozen travellers shivered beside ice-cold heaters. The car was warm, the lights burned cheerily, the seats were unlocked and faced both ways.

Not many passengers either. Only six beside myself at my end. Three of them were wearing picture hats the size of tea-trays, short skirts and high shoes with red heels. The other three wore derbies and the unmistakable garb of the average drummer. Each couple had a double seat

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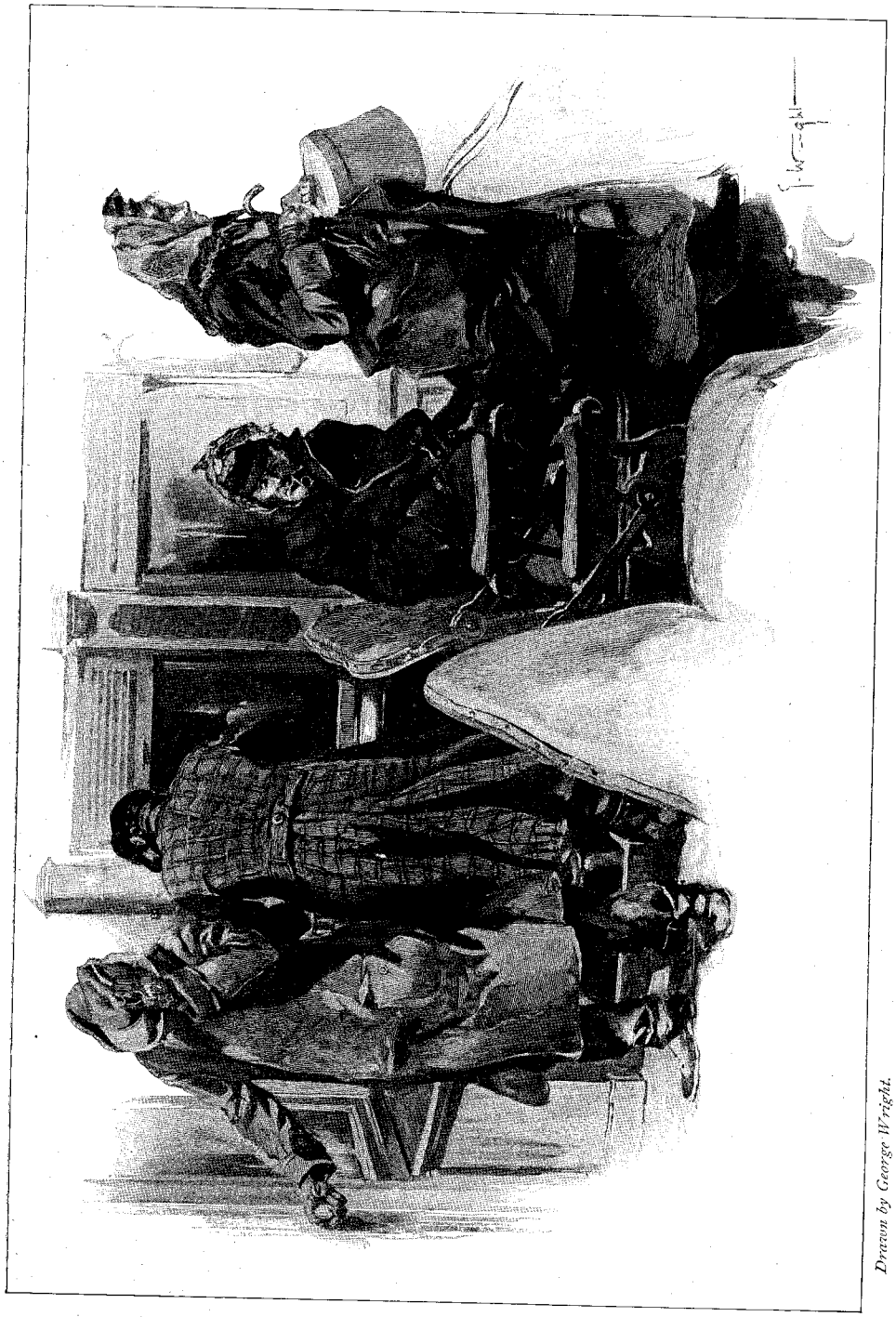

Drawn by George Wright.

Incoming passengers entered with hands on their hats.—Page 310

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all to themselves and all six were shouting with laughter. Packed in the other end of the car were the usual collection of travellers seen on an owl train.

I passed on toward the middle of the coach, turned a seat, and proceeded to camp for the night. The overcoat did service now as a seat cushion and the grip as a rest for my elbow.

It soon became evident that the girls belonged to a troupe on their way to Detroit; that they had danced in Kalamazoo but a few hours before, had supped with the drummers and had boarded the train at 2.50. As their conversation was addressed to the circumambient air, there was no difficulty in my gaining these facts. If my grave and reverend presence acted as a damper on their hilarity there was no evidence of it in their manner.

"Say, Liz," cried the girl in the pink waist, "did you catch on to the—" here her head was tucked under the chin of the girl behind her.

"Oh, cut it out, Mame!" answered Liz. "Now, George, you stop!" This with a scream at one of the drummers, whose head had been thrust close to Mame's ear in an attempt to listen.

"Say, girls," broke in another—they were all talking at once—"why them fellers in the front seat went on awful. I seen Sanders lookin' and——"

"Well, what if he *did* look. That guy ain't—" etc., etc.

I began to realize now why the other passengers were packed together in the far end of the car. I broke camp and moved down their way.

The train sped on. I busied myself studying the loops and curls of snow that the eddying wind was piling up in the cuts and opens, as they lay glistening under the glow of the lights streaming through the car windows; noting, too, here and there, a fence post standing alone where some curious wind-fluke had scooped clear the drifts.

Soon I began to speculate on the outcome of the trip. I had at best only four hours lee-way between 11.30 A. M., the schedule time of arriving in Cleveland, and 2.30 P.M., the hour of my lecture—not much in a storm like this, with every train delayed and the outlook worse every hour.

At Albion the drummers got out, the girls waving their hands at them through the frosted windows. When the jolly party of coryphées regained their seats their regulation smiles, much to my surprise, had faded. Five minutes later, when I craned my neck to look at them, wondering why their boisterousness had ceased, the three had wrapped themselves up in their night cloaks and were fast asleep. The drummers, no doubt, forgot them as quickly.

The conductor now came along and shook a sleepy man on the seat behind me into consciousness. He had a small leather case with him and looked like a doctor—was, probably; picked up above Battle Creek, no doubt, by a hurry call. He had been catching a nap while he could. Jackson was ten minutes away, so the conductor told the man.

More stumbling down the snow-choked steps and plunging through drifts (it was too early yet for the yard shovellers) and I entered the depot at Jackson—my second stop on the way to Cleveland.

No cry of delight escaped my lips as I pushed open the door. The Middle Ages had it all their own way at Jackson and still do unless the Battle Creek architect has modernized the building. Nothing longer than a poodle or a six months' old baby could stretch their lengths on these iron-divided seats. "Move on" must have been the watchword, for nobody sat—not if they could help it. I tried it, spreading the overcoat between two of them, but the iron soon entered my soul, or rather my hip joints, and yet I am not over large. No open wood fire, of course, no easy chairs, no lounge; somebody might pass a few minutes in comfort if there were. There was a sign, I remember, nailed up, reading "No loiterers allowed here," an utterly useless affair, for nobody that I saw *loitered*. They "skedaddled" at once (that's another expressive word) and they failed to return until the next train came along. Then they gathered for a moment and again disappeared. No, the station building at Jackson is not an enticing place—not after Battle Creek.

And yet I was not unhappy. I had only an hour to wait—perhaps two—depending on the way the tracks were blocked.

I unlocked the grip. There was nothing left of the P. S.—the policeman had seen

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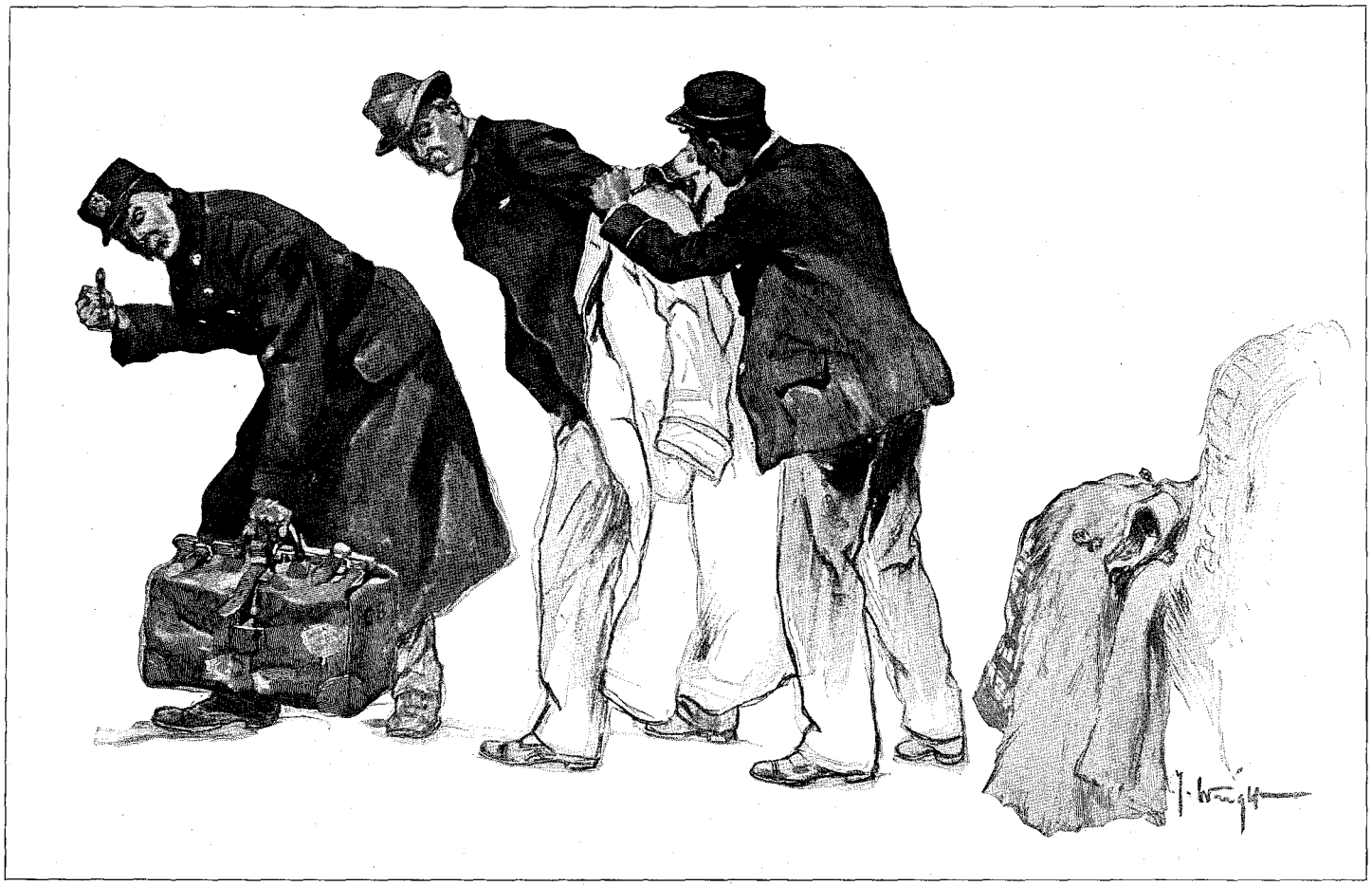

Drawn by George Wright.

Into my overcoat again.—Page 312.

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to that—and the collar-box was empty—the clerk had had a hand in that—two, if I remember. The proofs were finished and ready to mail, and so I buttoned up my fur coat and went out into the night again, tramping the platform where the wind had swept it clean. The crisp air and the sting of the snowflakes felt good to me.

Soon my eye fell on a lump tied up with rope and half buried in the snow. The up-train from Detroit had thrown out a bundle of the morning edition of the Detroit papers. I lugged it inside the station, brushed off the snow, dragged it to a seat beneath a flaring gas jet, cut the rope with my knife and took out two copies damp with snow. I was in touch with the world once more, whatever happened! I soon forgot the hardness of the seat and only became conscious that someone had entered the room when a voice startled me with:

"Say, Boss!"

I looked up over my paper and saw a boy with his head tied up in an old-fashioned tippet. He was blowing his breath on his fingers, his cheeks like two red apples.

"Well, what is it?"

"How many poipers did ye swipe?"

"Oh, are you the newsboy? Do these belong to you?"

"You bet! How many ye got?"

"Two."

"Ten cents, Boss. Thank ye," and he shouldered the bundle and went out into the night where a wagon was standing to receive it.

"Level-headed boy," I said to myself. "Be a millionaire if he lives. No back talk—no unnecessary remarks regarding an inexcusable violation of the law—petty larceny if anything. Just a plain business statement, followed by an immediate cash settlement. A most estimable boy."

A road employee now came in, looked at the dull-faced clock on the wall, went out through a door and into a room where a telegraph instrument was clicking away, returned with a piece of chalk and wrote on a black-board:

"No. 31—52 minutes late."

This handwriting on the wall had a Belshazzar-feast effect on me. If I lost the connection at Adrian what would become of the lecture in Cleveland?

Another man now entered carrying a black carpet-bag. A sleepy man with his hair tousled and who looked as if he had gone to bed in his clothes. He fumbled in his pocket for a key, went straight to the slot machine, unlocked it, disclosing a reduced stock of chewing-gum and chocolate caramels, opened his carpet-bag and filled the machine to the top. This sort of a man works at night, I thought, when few people are about. To uncover the mysteries of a slot machine before a gaping crowd would be as foolish and unprofitable as for a conjurer to show his patrons how he performed his tricks.

I became conscious now, even as I turned the sheets of the journal, that while my flask of P. S. and the contents of my collar-box were admirable in their place, they were not capable of sustaining life, even had both receptacles been full, which they were not. There was evidently nothing to eat in the station, and from what I saw of the outside, no one had yet started a fire; no one had even struck a light.

At this moment a gas jet flashed its glare through a glass door to my right. I had seen this door, but supposed it led to the baggage-room—a fact that did not concern me in the least, for I had checked my red-banded trunk through to Cleveland. I got up and peered in. A stout woman in a hood, with a blanket shawl crossed over her bosom, its ends tied behind her back, was busying herself about a nickel-plated coffee-urn decorating one end of a long counter before which stood a row of high stools—the kind we sat on in school. I tried the knob of the door and walked in.

"Is this the restaurant?"

"What would ye take it for—a morgue?" she snapped out.

"Can I get a cup of coffee?"

"No, ye can't, not till 6 o'clock. And ye won't git it then if somebody don't turn out to help. Sittin' up all night lallygagin' and leavin' a pile o' dirty dishes for me to wash up. Look at 'em!"

"Who's sitting up?" I inquired in a mild voice.

"These '*ladies*'"—this with infinite scorn—"that's doin' waitin' for six dollars a week and what they kin pick up, and it's my opinion they picks up more'n 's good for 'em."

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Drawn by George Wright.

It soon became evident that the girls belonged to a troupe.—Page 314.

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"And they make you do all the work?"

"Well, ye'd think so if ye stayed 'round here."

"Can I help?"

She had been swabbing down the counter as she talked, accentuating every sentence with an extra twist of her arm, the wash-cloth held tight between her fingers. She stopped now and looked me squarely in the face.

"*Help!* What are *you* good for?" There was a tone of contempt in her voice.

"Well, I'm handy passing plates and cutting bread and pie. I've nothing to do till the train comes along. Try me awhile."

"You don't look like no waiter."

"But I am. I've been waiting on people all my life." I had crawled under the counter now and was standing beside her. "Where will you have this?" and I picked up from a side table a dish of apples and oranges caged in a wire screen. I knew I was lost if I hesitated.

"Lay 'em here," she answered without a word of protest. I was not surprised. The big and boundless West has no place for men ashamed to work with their hands. Only the week before, in Colorado Springs, I had dined at a house where the second son of a noble lord had delivered the family milk that same morning, he being the guest of honor. And then—I was hungry.

The woman watched me put the finishing touches on the dish of fruit, and said in an altered tone, as if her misgivings had been satisfied:

"Now, fill that bucket with water, will ye? The sink's behind ye. I'll start the coffee. And *here!*" and she handed me a key—"after ye fetch the water, unlock the refrigerator and bring me that ham and them baked beans."

Before the "ladies" had arrived—half an hour, in fact, before one of them had put in an appearance—I was seated at a small table covered with a clean cloth (I had set the table) with half a ham, a whole loaf of bread, a pitcher of milk that had been left outside in the snow and was full of lovely ice crystals, a smoking cup of coffee and a smoking pile of griddle cakes which the woman had compounded from the contents of two paper packages, and which she herself had cooked on a gas griddle—and very good cakes they were: total cost, as per schedule, fifty cents.

Breakfast over, I again sought the seclusion of the Torture Chamber. The man with the piece of chalk had been kept busy. No. 31 was now one hour and forty-two minutes late.

When it finally reached Jackson and I boarded it with my grip and overcoat, it looked as if it had run into a glacier somewhere up the road and had half a snow-slide still clinging to its length.

Day had broken now, and what light could sift its way through the falling flakes, shone cold and gray into the frost-dimmed windows of the car. I had lost more than two hours of my leeway of four, and the drifts were still level with the hubs of the driving wheels.

We shunted and puffed and jerked along, waiting on side tracks for freight trains hours behind time and switching out of the way of delayed "Flyers," and finally reached Adrian. (Does anybody know of a Flyer that is on time even when but a bare inch of snow covers the track?)

Out of the car again, still lugging my impedimenta.

"Train for Toledo and the East, did you say?" answered the ticket agent. "Yes, No. 32 is due in ten minutes—she's way behind time and so you've just caught her. Your ticket is good, but you can't carry no baggage."

The information came as a distinct shock. No baggage meant no proper habiliments in which to appear before my distinguished and critical audience—the most distinguished and critical which I ever have the good fortune to address—a young ladies' school.

"Why no baggage?"

"'Cause there's nothing but Pullmans and only express freight carried—it's a news train. Ought to have been here a week ago."

"Can I give up my check and send my trunk by express?"

"Yes. That's the agent over there by the radiator."

One American dollar accomplished it—a silver one—they don't use any other kind of money out West.

When No. 32 hove in sight—the Fast Mail is its proper name—and stopped opposite the small station at Adrian, a blessed, beloved, be-capped, be-buttoned and be-overcoated Pullman porter—an attentive, considerate, alert porter—emerged

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from it and at a sign from me picked up my overcoat and grip—they now weighed a ton apiece—and with a wave of his hand conducted me into a well-swept, well-ordered Pullman.

"Porter, what's your name?" I inquired. (I always ask a porter his name.)

"Samuel Thomas, sah."

"Sam, is there a berth left?"

"Yes, sah—No. 9 lower."

"Is it in order?"

"Yes, sah—made up for a gem'man at South Bend, but he didn't show up."

"Let me see it."

It was exactly as he had stated; even the upper berth was clewed up.

"Sam!"

"Yes, sah."

"Are you married?"

"Yes, sah."

"Got any children?"

"Yes, sah—two."

"Think a good deal of them?"

"Yes, sah." The darkey was evidently at sea now.

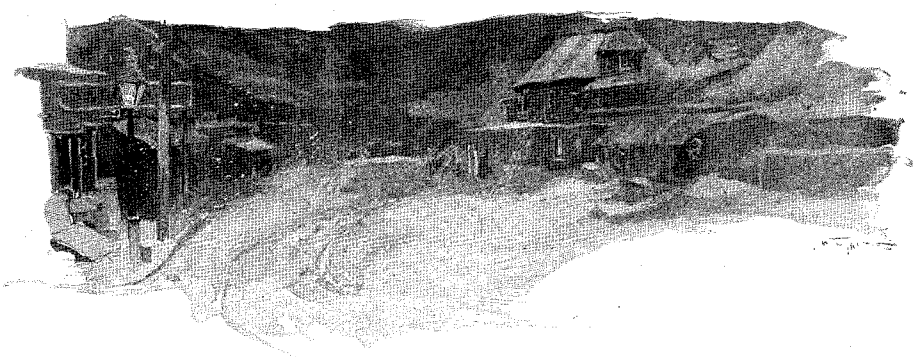
"Well, Sam, I'm going to bed and to sleep. If anybody disturbs me until we get within fifteen minutes of Cleveland your family will never see you alive again. Do you understand, Sam?"

"Yes, sah, I understand." His face was in a broad grin now. "Thank ye, sah. Here's an extra pillow," and he drew the curtains about me.

. . . . . .

At twenty-five minutes past two, and with five minutes to spare, I stepped onto the platform of the Academy for Young Ladies in Cleveland, properly clothed and in my right mind.

The "weather had permitted."



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Drawn by W. S. Potts.

"*Les convenances! Les convenances!*" she laughed gaily.—Page 321.

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THE FLOWERING OF THE ELYSIAN FIELDS

By Beatrice Hanscom

Illustrations by W. Sherman Potts

IT was one of the rules of the game not to show disappointment; and they had the air of a young couple to whom Care had not as yet had an introduction, as they came out of the Grand Hotel des Champs-Elysées and walked buoyantly down the broad avenue.

And yet calamity had just visited them.

The Famous Publisher, whose name they had seen blazoned in that very morning's *New York Herald* on the hotel's list of guests, and whom they had hoped would be so favorably impressed by the sketches that an order would be forthcoming—that inconsiderate individual, they had just been informed, had left Paris on the morning train for one of the celebrated German spas.

It had been especially important to see him, because the American magazines seemed to have caught what Kitty called "the rejection microbe," and for some weeks past, every steamer had brought back one or more packages of Worthing's sketches with Kitty's running commentary in verse or prose stories.

Some had come back with just an indigo-blue (appropriate color!) printed slip, which set forth the pleasing information that "The rejection of a contribution does not imply any lack of merit," as though any rejected contributor ever thought it did; and some were pronounced "very clever, but not quite in our line."

In the meantime, the family exchequer had dropped so low that they had stopped making jokes about their "sinking fund."

For about a block they both looked straight ahead. Then Worthing squared his broad shoulders a trifle defiantly, with the air of a man who *won't* fail, and turned a cheerful countenance to his wife.

"After all, Kitty," he said, encouragingly, "if the man was too ill to stay more than three hours in Paris, he wouldn't have been in the humor to like anything."

She smiled back at him confidently.

In Kitty Worthing's loving eyes, the world existed largely as a background for this wonderful husband of hers.

"We're probably in the greatest luck *not* to have seen him," she answered, gaily, "but won't we lie in wait for him on his way back, when his liver is normal and his disposition serene! He'll be ready then to adopt the first deserving young persons he sees, to say nothing of buying a few sketches."

"'You are really undervaluing these sketches, Mr. Worthing,'" she burlesqued; "'you must allow me to pay you a reasonably adequate sum. Young men of genius are all too rare in these days.'"

"Kitty," said Worthing, looking at her so rapturously that a weather-beaten old vender of roasted chestnuts muttered something to himself about *la jeunesse*, "you are certainly the dearest woman in the world. You never whimper. You never fret. You plucky little soul! I'll succeed in spite of everything, just to have the joy of giving you all kinds of things."

A warm wave of color came up in Kitty Worthing's face.

"Jack," she said, with a sudden solemnity that was very sweet, "you know, don't you, that I'd rather go through the world with you shoulder to shoulder, like a good little comrade, sharing things, than to sit at home and have you pour the crown jewels in my lap."

Worthing swung a little nearer to her in his long stride.

"I suppose it would be an unpardonable thing for a man to kiss his own wife in broad daylight in Paris," he observed, regretfully.

Kitty's hands went out in an inimitable French gesture.

"*Les convenances! Les convenances!*" she laughed, gaily; 'and then we should have to put it in 'The Flowering of the Elysian Fields,' and I'm not equal to another line. We put in every thought we had, didn't we?

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Let's take it down to Munroe's now, and get it right off. We can see what they've got for us at the same time."

Worthing patted the flat parcel under his arm affectionately.

"It's good, anyway," he said, with a note of challenge in his voice, and looked at the panorama before him with an air of special proprietorship.

The old woman who sold the chairs—how well she had worked up!—the Punch and Judy show, the nurses with the amazing bows on their caps, the babies with the tops which had to be whipped to keep them going, the chestnut trees a-bloom, the typical *boulevardiers*, the quarrelsome coachmen, the dressmaker's apprentice, with her square box wrapped up in a black cloth, the lumbering omnibus with its top seats crowded, and Kitty enjoying the scene from the point of view of a penny chair—he had them all there together in the ten sketches which his workman's eye told him were good.

As they went through the Place de la Concorde, a guide was talking rapidly to a

Muttered something to himself about *la jeunesse*.—Page 321

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A dejected-looking set of tourists, Baedekers in hand, listened wearily.

dejected-looking set of tourists, who, Baedekers in hand, listened wearily and perfunctorily to his tirade.

"Tourists," said Worthing, reflectively, "are of two varieties, the Cook-ed and the un-Cook-ed."

> "The tourist on a sunny morn
> From green to Baedeker doth turn,"

paraphrased Kitty.

And these two buoyant young people laughed as light-heartedly at each other's jokes as though their entire worldly wealth had not dwindled to four twenty-franc pieces.

Two young men, coming down the winding stairs of the bank, looked admiringly at the tall, slender, animated girl in the undeniably becoming picture-hat.

"Regular Chandler-Christy girl, isn't she?" said one, as they passed by, using that cheerfully audible tone in which

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Americans are apt to make comments in a foreign land.

The reading-room was full of people, but there were two vacant chairs next a stout and middle-aged woman presumably of that class who are popularly supposed to be the bulwarks of the nation.

Upon her capacious corsage a small American flag rose and fell, suggesting dimly the planting of the standard on newly discovered islands by some intrepid explorer viewed from the standpoint of one still left in the ship's small boat.

"Let's go over by the Elderly Pin-Cushion, and I'll write my note," murmured Worthing.

"Would you try the weeklies?" he asked, anxiously, as he undid the parcel.

The Pin-Cushion looked at the pile of colored sketches with great interest.

"My, but those are pritty," she said, friendlily. "Be they hand-painted?"

"They are some sketches my husband is sending back to America," answered Kitty, with the pleasant smile she gave the world at large out of the fulness of her heart.

The Pin-Cushion hitched her chair a trifle nearer.

"Well, I wish I was goin' with 'em," she said with conviction. "Yur-rup is all right fur young people, I guess, but Pa 'n' I are too old to catch on to all these new-fangled ways."

"We've been here a week," she went on, "'n' this 's the first comf'table afternoon I've had. It's been just as good as listenin' to a brass band to set here 'n' hear United States."

The stop-cock of her confidences once open, they flowed on with the regularity of the tides.

"I guess," she hazarded, "we made our money too late in life. But 's long as we'd *got* it, Pa was determined to do like other rich folks. If there's anythin' in this travellin' in foreign parts, we'll get it, he said. So we come. But it ain't easy, I will say that. They're terrible dishonest, too. That upsets Pa more'n anythin' else. For a church-member in good standin', he's used some pritty queer language the last day or two. But it is tryin'.

"Why, yesterday we hired a man to take us through the Louv-er for five francs. That's a dollar. Some of the pictures were real nice, but some of 'em I was just ashamed to have Pa see. The man talked enough, but half the time I couldn't make head or tail of what he was sayin'.

"Finally we stopped in front of a real pritty picture 'n' Pa says to him, 'What's this?' 'Madonna by great painter Raf-fa-el,' says the man.

"Pa just looked at him.

"'Now, look here,' he says, 'you're lyin' to me 'n' I know it. You said that picture across the room was Madonna, 'n' they don't look the least bit alike.'

"The fellow acted like he was goin' to tear his hair out. 'Anozzer painter, Mus-shoe,' he kep' a-sayin'. 'S'pose it was,' says Pa, 'n' his voice sounded real stern, 'no matter *how* poor a painter was, I guess if it's the same lady, as you *say*, they'd look some alike, anyway. Why, there ain't even a family resemblance! Here,' he says to the man, 'take your dollar, though you ain't earned it. Go 'n' sin no more.'

"Is your husband subject to fits?" she inquired, hastily, gazing in some consternation at Worthing's convulsed countenance.

Kitty was saved the embarrassment of a direct answer by the opening of the reading-room door and the entrance of an excited-looking, stubby man whose whiskers showed what untrammelled freedom can produce in the way of eccentric growth.

"Pa's some stirred up again," said the old lady, placidly.

"It's no use, Mother," said that individual, wiping the perspiration from his brow, "heathen are just heathen, that's all, 'n' I shan't give another cent f'r foreign missions.

"I was so beat out, I went into a restaurant to get a cup of tea, 'n' if they didn't charge me f'r my napkin! 'It's a bare-faced swindle,' says I, ''n' I won't pay it.' But a man at the next table told me 'twas the custom. 'Well, here,' says I, 'take it. I s'pose I ought to be thankful I don't have to buy the table.' 'Mercy, Musshoe,' says the waiter. 'You need it,' says I, 'n' I walked out."

"This," breathed Worthing to Kitty, "is concentrated riches. It's just finding money."

"Never mind, Pa," said the old lady, soothingly, "we're goin' on to-morrow, 'n' the next place may be better. This might

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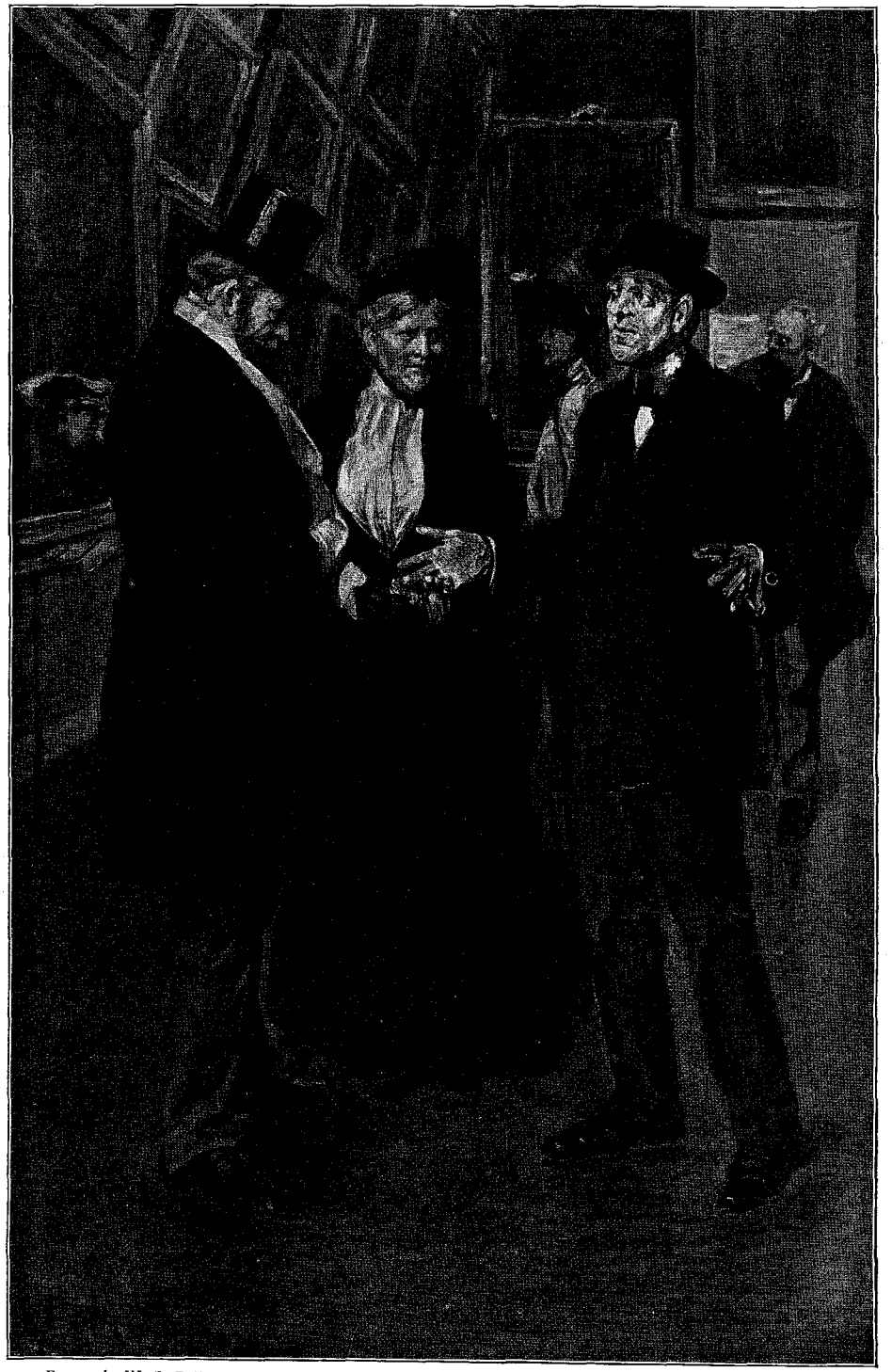

Drawn by W. S. Potts.

" 'Anozzer painter, Musshoe,' he kep' a-sayin'."—Page 324.

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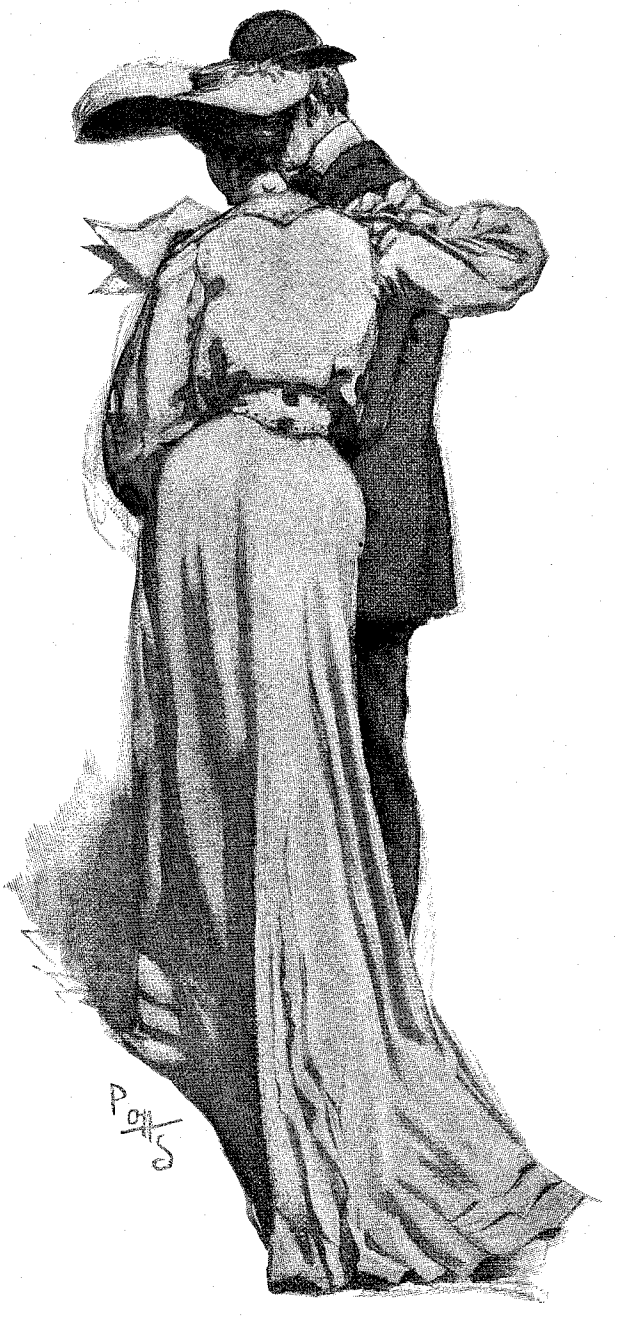

He and Kitty read the note together.—Page 327.

be all right when you got used to it. This young man 'n' his wife live here. He paints real pritty pictures in all colors."

"Where do you go next?" inquired Kitty, hastily, fearing Worthing's countenance might become unmanageable.

"We're goin' to Ber-lin, ma'am," said Pa, with a return to complacency. "We're

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calculatin' to see all the capitals of Yur-rup. No use wastin' any time on small towns, I told Mother, when we've lived all our lives in a little town. But I guess we'll be glad enough to get back to it," he added, reflectively.

The clerk at the mail window waved a letter at Worthing. It bore the letter-head of one of the great magazines.

Worthing tore it open, half dreading to read it. A piece of blue paper fell from it, and he crumpled it in his hand while he and Kitty read the note together. It was brief but kindly. The editor wrote that he had great pleasure in accepting the illustrated article they had been kind enough to send him, and that he enclosed a foreign draft in payment of the same, and that he should be very glad to hear from them again.

Kitty caught her breath in a little joyous sob, and Worthing's hands trembled slightly as he unfolded the crumpled paper. It was a draft for a thousand francs.

"Jack," said Kitty, softly, "let's keep 'The Flowering of the Elysian Fields' over one more mail, just because they've really flowered for us to-day."

"You're a dear little goose," said Worthing, tenderly, but he tucked the parcel under his arm again.

Kitty was shaking hands with the old lady.

"Good-by," she said, in her pretty, friendly way, "I'm sorry you have found so many things to vex you, but perhaps if you just made a joke of the odd things that come up, you could have a good time out of them after all."

"Pa" wrung Worthing's hand with a mighty pressure.

"Good-by, young man," he said; "I s'pose you know you've got a treasure in your wife. That's right! 'N' if you like it here, it's *your* business. But it beats me!" he added, sadly.

Worthing stopped outside the reading-room door. The little hall was dark and they were quite alone.

He kissed his wife tenderly, and then they ran down the winding stairs and went out into a world where Love festooned flowers along their way, and Fame tossed them her laurel wreaths, and the glamour of Youth touched the scene with the rose-colored light of Arcady.

The reading-room assumed a grayer tone when they were gone.

"She's about the age Marietta would be, if she'd lived," sighed the old lady.

"Now, don't dwell on it, Mother," said Pa, kindly. "She's a nice girl, though. 'N' they are the only people we've met here that ain't made somethin' out of us," he added, meditatively.

But in that he was mistaken.

Worthing's series of illustrations, "Strangers in a Strange Land," are proving so popular that they bid fair to become hackneyed.

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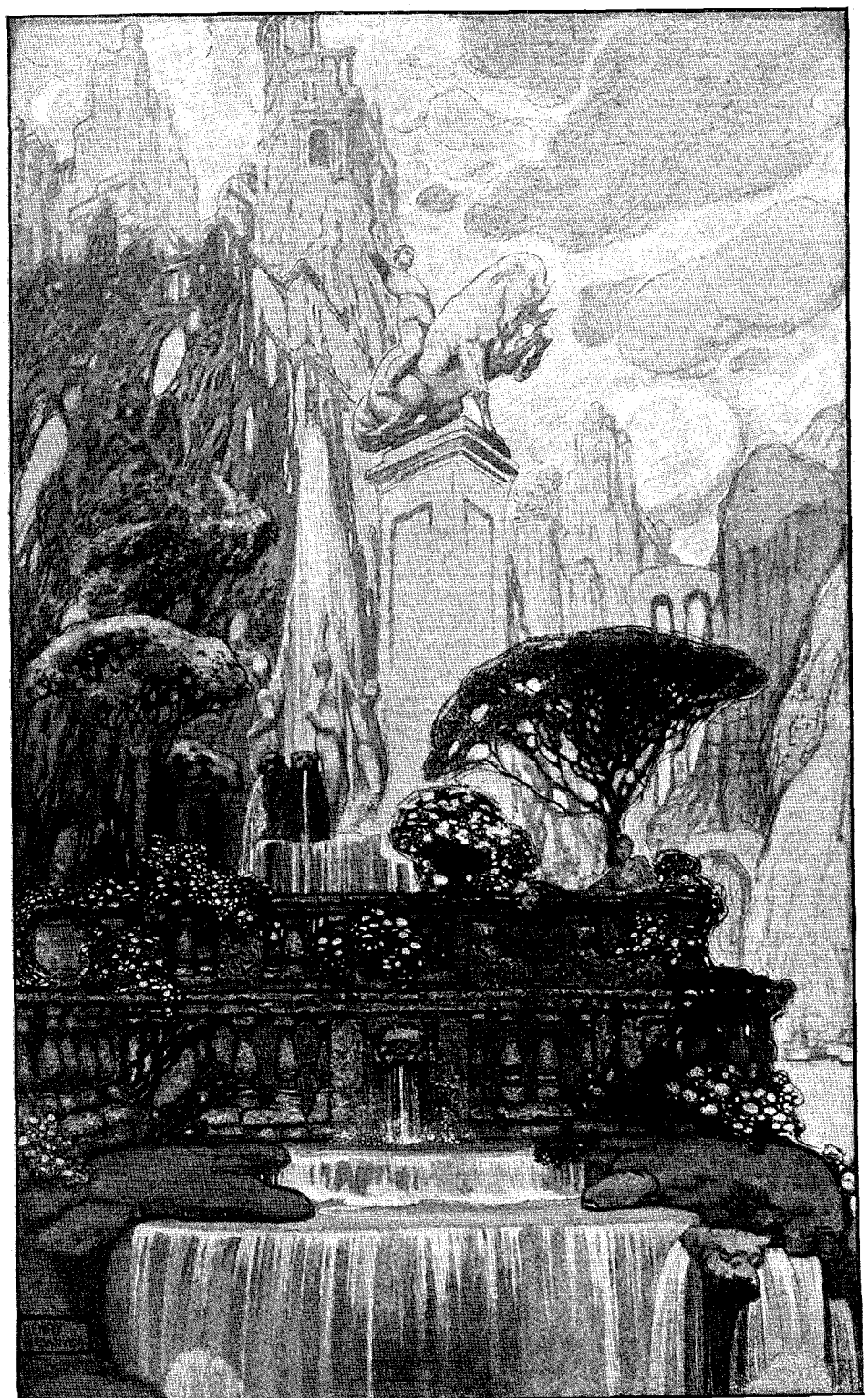

Drawn by Henry McCarter.

With domes and towers enskied.

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THE UNKNOWN CITY

By Charles G. D. Roberts

There lies a city inaccessible
Where the dead dreamers dwell.

Abrupt and blue, with many a high ravine
And soaring bridge half seen,
With many an iris cloud that comes and goes
Over the ancient snows,
The imminent hills environ it, and hold
Its portals from of old,
That grief invade not, weariness, nor war,
Nor anguish evermore.

White-walled and jettied on the peacock tide,
With domes and towers enskied,
Its battlements and balconies one sheen
Of ever-living green,
It hears the happy dreamers turning home
Slow-oared across the foam.

Cool are its streets with waters musical
And fountains' shadowy fall.
With orange and anemone and rose,
And every flower that blows
Of magic scent or unimagined dye,
Its gardens shine and sigh.
Its chambers, memoried with old romance
And faëry circumstance—
From any window love may lean, sometime,
For love that dares to climb.

This is that city babe and seer divined
With pure, believing mind.
This is the home of unachieved emprise.
Here, here the visioned eyes
Of them that dream past any power to do
Wake to the dream come true.
Here is fulfilled each hope that soared and sought
Beyond the bournes of thought;—
The chorded cadence art could ne'er attain
Crowns the imperfect strain;
The obdurate marble yields; the canvas glows;
Perfect the column grows;
And the great song that seemed to die unsung
Triumphs upon the tongue.
Here the high failure, not the level fame,
Attests the spirit's aim,—
And hero hearts, by too frail flesh forsworn,
At last forget to mourn.

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AT THE HIGH WATER

By Lucia Chamberlain

Illustrations by Frank E. Schoonover

"THE river's bound to rise six feet before morning," said the foreman, taking a cup of coffee from the tray that Wong, the Chinaman, offered him.

"Seems to be a heavy thaw in Yosemite." His employer, Nathan Boyce, showed a bald head and one lifted eyebrow over the top of the *Merced Times*.

"If I'd Providence I'd have found a proper way to irrigate the Merced valley."

His daughter laughed.

His sister looked up meekly. She was a faded little woman, with a pathetic habit of looking on the bright side of impossible situations.

"We're sure to have some pleasant weather now," she said with shocked conciliation. "When the month comes in like a lion, you know——'

"It goes out like the devil," said her brother, laying his paper down crisply, and stirring his coffee on the table-cloth.

"Anyhow, the river's rising," repeated the foreman, positively His employer's daughter frowned. She did not know which irritated her more, the new foreman's statements of future possibilities as unalterable facts, or the stiff, dark curl that stood up aggressively over his forehead.

"Something ought to be done to the race-gate," he continued, still addressing his employer, though he smiled at the girl. "If I should take some tools, and a man up there in a buckboard right after breakfast, I could have 'em back by two o'clock, in time to take a look at the mill on the water side."

His employer's daughter had refused to see the smile, but it puzzled her that it could change the color of his eyes from steel to blue. His employer was addressing himself to his breakfast.

"You can't be too careful about the gate, Chester," he said. "As for the old mill, she's stuck on the bank through a flood, and fifty freshets. She couldn't go downstream if she tried—unless, of course, the race gets away from you."

"The mill stream's up to the oak now," said the foreman.

Mr. Boyce swore cheerfully. "Well, look after the gates. We can't tie the mill down, and the bridge has been going every spring for the past twenty year."

He turned to his daughter. "You'll want web feet to get across the run to your party to-night, Skeesics."

She ignored her pet name, and opened her gray eyes very wide. "Why, dad, it's always like this! Don't you remember last spring we couldn't cross at the mill at all, and had to go round by Robinson's ford?"

"So we did—so we did! Memory failin' with eye-sight! Used to be able to locate a fly on the county road, and now can't see a horse and buggy." He winked at the foreman.

His daughter colored. She did not like the foreman included in the family joke.

Chester looked worried. "No one will come over from town to-night," he declared. "It's too long a swim from Snelling to the river."

Neith Boyce raised her straight brows.

"Oh, you don't know *us*, Mr. Chester. They'll come as long as there's a bridge to cross on, and we'll dance till we're drowned out."

Her father laughed. "Chip of the old block," he said. "You'll dance holes in your stockings before morning. Chester, I don't like to leave you (bound to be hard work at high water), but every mill owner from here to Stockton will be in Merced at that meeting to-day—and Hochstetter'll freeze me out if he can. I've taken too much grist from Hornitas lately to suit him!"

The telephone rang sharply in the little office that opened off the dull ranch dining-room.

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"Damn it! what's wrong at the mill now! Only a minute ago I answered every question a man could think of—" He disappeared into the office whence his voice rose in irascible monologue.

"Well, I tell you, he's going up to see to it now. Yes, he knows—as much as you do, and a damn sight more. No, don't send a man from the mill. You'll need 'em all there if the run rises. He'll take a look at the bridge as he goes over this morning."

Neith listened carelessly to an often-heard conversation. The telephone was always busy at the high water. Wong stood, immobile as an oriental bronze, behind her chair. His narrow eyes were fastened on some point beyond, and through the foreman. He did not approve of the boss's new man. The foreman called him "Charlie," and gave orders to Missy Neith, who, for eighteen years, had given orders to everything two or four-legged on the Boyce ranch.

"Miss Boyce," the foreman began——

Wong's unmoving eyes glittered. "Miss Boyce, I guess you'll have to postpone that dance."

"Why, are they stacking grain in the warehouses?" She knew well—being a miller's daughter—that this was not the reason. He flushed, but his eyes were unwavering.

"It's not safe," he answered.

She sat in the full dazzle of the sun, her blond hair burnt with fiery lights. In the strong glare, her cheeks bloomed flawless, pink as cherry blossoms. She laughed. "Why, Mr. Chester, you talk as if there was going to be a flood! Give it up? Dad didn't ask me to give it up! When dad says a thing goes on this ranch, it goes!" She looked at him through her lashes.

He ground his teeth in impotent rage against this obstinate piece of pink and white. He started to speak.

"Oh, there are the ponies!" she cried, springing up. "Oh, the dear things!" She snatched some cut sugar from the table, and ran out of the room. When Chester followed a few moments later with Mr. Boyce, coated and hatted for his twenty-mile drive, she was laying her pink cheek against a black velvet muzzle, crooning, while the ponies nuzzled her for more sugar. She climbed into the buggy after her father, hugged him, and insisted on driving as far as the bottom of the hill with him.

"I suppose she's nothing but a baby," thought the foreman, looking after the retreating buggy, "but, oh, Lord!" He crammed his hands into his pockets and tramped up and down the board walk between the house and the bulkhead that raised Mr. Boyce's pretentious lawn five feet above the drive.

"You don't seem to cotton much to Chester," said Mr. Boyce, as they drove down the road that was cut in the soft, white stone of the hill. She shook her fair head impatiently.

"He's too cock-sure!" she announced.

"Humph! Only man your poor old pap ever had who could work without asking questions. Now, mind, Skeesics, you're boss when I'm here, but Chester's boss when I'm away." They drew up at the foot of the hill.

"Now, one, two—jump!"

Neith sprang from the wheel, and landed ankle-deep in the spongy ground. She waved both hands to the back of the buggy. Then, running to the crest of a knoll, watched it crawl up the middle of the black county road, between the fields of newly springing wheat.

Beyond these sparsely clothed spaces swept hill above hill, green as moss. Faint yellow in the hollows meant early buttercups. California spring is well begun by the middle of February. The sky was full of feathery clouds. The air was full of the sound of running water. All the little, dry, stony channels of last summer ran gurgling full. The willows along Robinson's Run stood three feet out in the stream. Above all the lesser voices, the hoarse, dominant roar of the Merced River beat like a great artery through the valley.

The girl's pulses ran as high and quick as the water. She whirled in an abandon of high spirits, and raced down the knoll. Instead of climbing the dry, white drive, she chose to wade through the lush young grass, reaping here and there an early buttercup, or startling a lark into a tumultuous, singing flight—now stopping to look out over the cloud-shadowed land that rose on three sides to meet the sky, now at the house that crested the hill with a line of three linked buildings, with a tall tank-

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house, like a tower, at one end; now gazing back up the long road where the buggy was a crawling speck on the sky-line.

Her world was held in this cup of the hills. It had been an easy world until this domineering person with the aggressive forelock had come into it, with unimpeachable credentials from no less a place than the Sperry mills.

As she came out on the road before the house, flowers in her hands, a hummed song on her lips, Chester was standing on the bulkhead directly above her, his big body dark against the sky. Her heart jumped and pounded. She told herself that this was vexation. She felt that he was looking with disapproval at the black mud her shoes had accumulated during her climb. In point of fact, he was looking at the sun on her head, with feelings too mixed to analyze.

"I thought you'd gone long ago," she called.

"I was waiting for you," he answered.

"Oh!" She was coming up the steps, panting a little, and assisting herself with the overhanging ledge. She sat down on the bulkhead, swinging her muddy little boots blissfully, and smiled up at his immobile chin and steel-colored eyes until his frown relaxed.

"Well, and why were you waiting for me? Has Wong been misbehaving?"

The foreman glanced in the direction of the kitchen door, where Wong and the Chinese vegetable peddler were comfortably wrangling over the relative prices of green peas and strawberries.

"It's not Wong this time," he answered, and fell silent for a moment.

"Dear me!" she cried. "Of course, this is lots of fun, but really, I must not keep you another minute!"

"See here, Miss Boyce," he said, "I didn't tell your father all there was to tell this morning—because he had to go to Merced, and there was no use of worrying him over something he couldn't help—but things are very shaky at the mill."

"Oh, is that all?" She made as if to slide from her perch, but he blocked the way.

"Miss Boyce"—his voice had the quality of steel—"the river is only three feet from the top of the banks, the mill stream is tearing its channel to pieces. If anything breaks to-night the warehouses will be roof-under-water. Of course you think nothing will—but your father left everything that's his in my care, and I'm bound to take care of 'em!" She tried to interrupt him, but he went on:

"If you'll only say the word I'll send Bob over to Snelling to let the folks know the dance is off, and why. Why, I wouldn't even answer for the big bridge in twenty-four hours."

Neith's voice was ominously calm. "My father went all over the place yesterday morning, and he saw no reason for postponing anything."

"Twenty-four hours has made the difference."

"It seems to me," she said, sliding to the step, "that half an hour—since Mr. Boyce left the place, in fact—has made the difference. He gave you full charge over the ranch, but that does not include *me*, Mr. Chester. Did you hear him give me permission to have that dance to-night? Don't you think, after that, what you are saying sounds pretty queer?"

"Miss Boyce," he said, very pale, "I have already told you your father doesn't know how bad things are. You assign a very strange motive to me! Considering what I told you last week I might call it an insult."

"Oh!" she cried, scarlet, "I told you never to speak of that again!"

"And I told you I would never cease speaking of it! Yes—you can call me selfish and brutal—but I love you, and you sha'n't walk into a danger, if I know it!"

"I really don't see how you are going to help it."

He bit his lip.

"And I would like to know if you think this sort of thing very honorable in my father's absence?"

His eyes blazed. Her wrists were in his hands, her flowers were under his feet. Perhaps in her alarm she made an audible sound.

A sinewy body suddenly thrust between them. She saw for an instant yellow fingers with long nails cover the hands on her wrists. Then she was released, and with one jerk of the foreman's arm, Wong landed, sitting, in the wet earth of a recent flower-bed. He rose, gabbling with vituperation, and made for the foreman. Neith clung to his arm.

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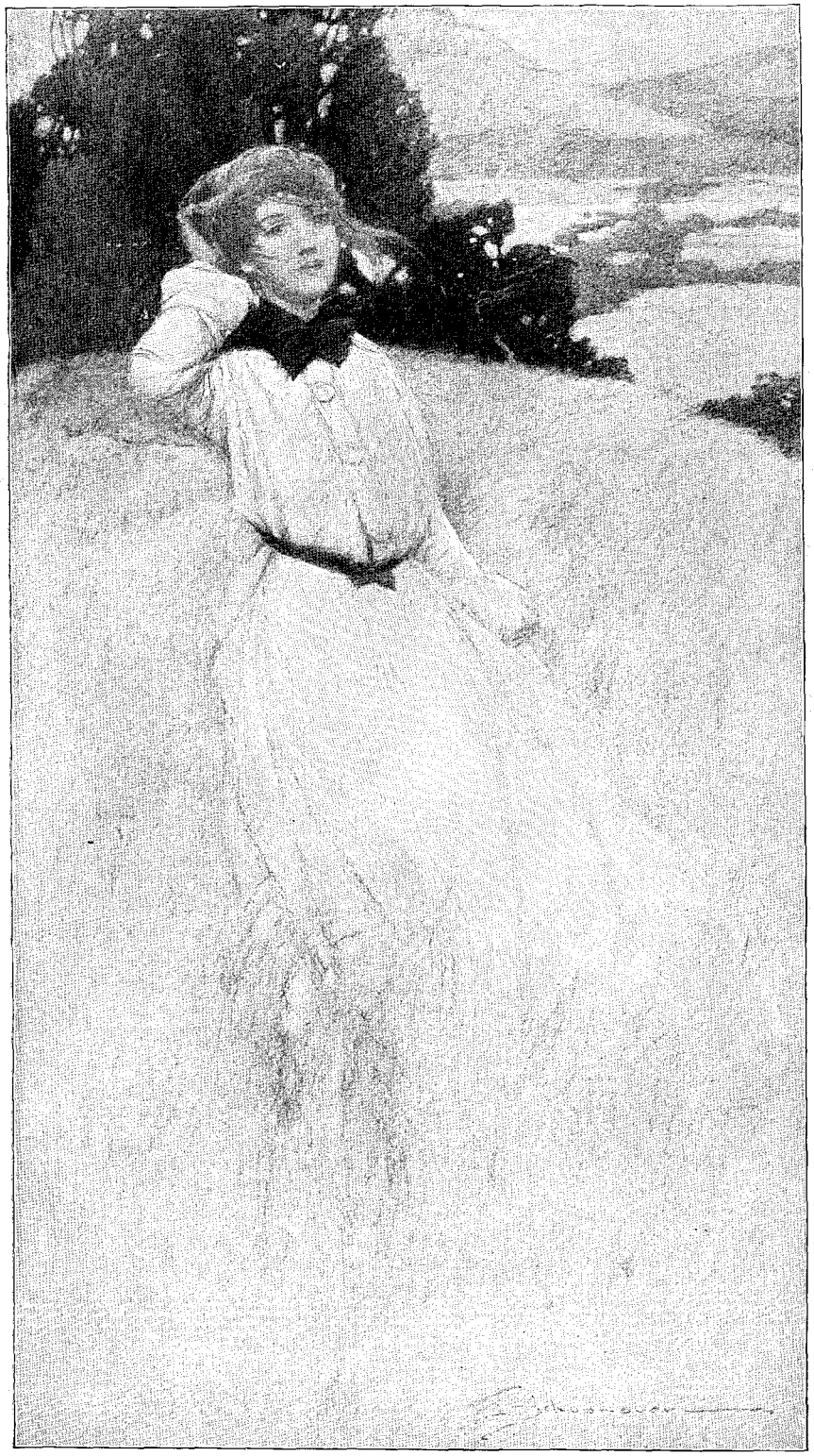

Drawn by F. E. Schoonover.

Neith Boyce.

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"I no let touch—no let—" he stuttered.

"Wong, you go right into the kitchen!"

"Heap bad man, Miss Neat," Wong protested, shrilly. "You make go! You make go! I no stay, he stay!"

"Wong, you do as I tell you! Mr. Chester *has* to stay!" The Chinaman tore off his apron and threw it on the ground. "No cook for him—no work here!" he screamed and stalked into the kitchen.

Neith following, found him hurling saucepans at the sink in the intervals of collecting his belongings. For the first time he heard her coaxing with a mask-like indifference.

"Him heap bad man, Miss Neat! No stay same place, him! I go!"

Her aunt, hearing sounds of contention, came from the sitting-room, and joined her voice to the girl's. Wong, with a face as impassive as a wooden doll's, continued his packing. When it was completed he shook hands solemnly with each in turn. From the kitchen piazza the two women watched with desolate faces the little figure in blue blouse and trousers, and round, black hat, trotting down the road. "After twenty years of faithful service, this! I cannot account for it," murmured her aunt.

Neith could, but said nothing. She turned, and entered the kitchen, where Yip Sing, Wong's boy assistant, was placidly washing dishes. The place looked no more vacant than if Wong had stepped out for wood, or a gossip with the vegetable peddler. The paper dragons still decorated the pea-green walls. The narcissus bloomed in accurately arranged rows on the sunny window-sills. After twenty years! She could not realize what had happened. Why, Wong had carried her pig-a-back before she could walk, and because of someone she had known three weeks—there was a horrible injustice somewhere! She turned, and saw the tall foreman standing in the door.

"Where's that Chinaman?" he asked, abruptly.

"Gone," answered Neith. The word had such a hollow sound that she found herself looking at him through a mist of tears.

"Gone?" he echoed. "Oh, I guess not! What for?"

"He's always been here," she continued, looking forlornly about. "He was here when I was born—he's given me cookies as long as I can remember"—with a catch in her breath—"and he thought you were hurting me!"

The foreman growled. "Nonsense," he said.

Her chin rose high.

"It was all your fault," she declared. "He said he wouldn't stay if you did—and I said you *had* to stay—so he went!"

An inkling of the calamity that had fallen on this house began to dawn on him.

"Miss Neith, I—I'm terribly sorry—I couldn't help it, you know! Can't I help you? Let me do something——"

"Can you *cook?*" she interrupted, scorchingly.

"I can get another one!"

"Another one!" she echoed, indignantly. "Do you think Wong is like every other Chinaman? You can't get *him* back," she said, chokingly. "You weren't considerate of Wong. You never did understand him!"

She passed him with disdainful head. He was expected to understand a Chinaman! The foreman stared helplessly after her. Then someone halloed from the bulkhead. It was young Bob Ritter with the buckboard.

"Damned Chinaman!" Bob heard the foreman mutter as he climbed in. The domestic tragedy had temporarily dislodged from his mind the trouble at the race-head. He laid the lash hard on the mare's flank. They spun away, tools rattling in the wagon body, past the barn and down the hill. Recent rains had left the roads deep with mud. They travelled in a halo of it.

The foreman's white hat was dashed with black. As he drove past the old mill, the miller's man hailed him from the door. He shouted back, but drove on. He noticed with relief that the mill stream was no higher than it had been at four o'clock that morning, when he had returned from opening the gates, but the race ran flush with the culvert. The roar of the river grew louder in his ears as they drove forward, and now the sway and spring of the big bridge was under them. A scant three feet below the bridge the river swept, an opaque yellow flood, extending from bank to bank of the river bottom. The tops of willows swayed and flowed on the surface

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like strange water weeds. Logs and broken branches, sometimes with furry creatures clinging to them, shot the rapids like canoes. Up-stream the water seemed massing in a tidal wave against the sky, and the great bridge thrilled in every timber as the river shouldered its foundations.

Half way across a horseman passed them. He nodded, "Mornin'."

Chester pulled up. "Hullo, Shore"—the rider wheeled—"how do you like the look of the river?"

"Oh, tol'able, tol'able!" The man looked down thoughtfully at the boiling water below.

"No higher, is it?"

The eyes of the woodsman—eyes set in long wrinkles—looked up- and down-stream.

"Nop—fell, if anythin'," he vouchsafed.

"Think it'll keep going down?"

"River's like folks, Mr. Chester. Longer I live among 'em, fewer idees I have about 'em. Mornin'."

Chester laughed and nodded, and drove on.

They splashed and waded up the river valley for three miles over a tortuous road fringed with willows and cotton-woods, standing root-deep in miniature floods, recrossed by the upper bridge, below the deserted woolen mills, and a sharp turn to the left brought the race-head in sight.

The race, a wooden sluice-box, six feet deep, concentrated a part of the river's power in its narrow channel, letting, as it were, the river thrust a long arm into the land toward the mill. At the head two stout oak gates, raised and lowered by means of pulleys, and secured by bolts clamped in the uprights, regulated the flow of the water.

The inner gate was opened and shut regularly, the outer only in time of flood, or when the mill shut down. It was the fastenings of the inner gate that were defective. The bolts had rusted out. The foreman spent a hard morning, alternately astride the gate, or, with a rope under his arms, hip deep in the icy race water, wrestling with the new bolts.

"There," he said, surveying the work of his hands from the bank where he sat, regardless of mud, "I guess the river can't get under that. He mopped the perspiration from his face. "See that clamp?" He turned to young Ritter. "It works like the other one, except for the catch. That makes it ten times safer. But be sure it catches. If it doesn't, the Merced'll be on top of the mill."

"She's mighty near the top a quarter of a mile up from here," said Ritter.

"Anywhere near town?" inquired the foreman.

"Nop. Camp of Chinks—that's all. Always settle in some fool gully in a vegetable garden. Lot of 'em drowned every spring."

The foreman felt a momentary irritation in remembering Wong. He wondered if it was to this "Chink's camp," as Ritter phrased it, that Wong had made occasional pilgrimages to visit a "cousin." If so, and if he had gone thither when he renounced the Boyce ranch, he might be caught in the overflow of the river. At the moment, Chester remorsefully felt that total immersion was not too great a punishment for any creature who had presumed to lay hands on Neith Boyce. He vented his irritation on Ritter.

"Look sharp," he said, "and get the tools together. We're wanted at the mill in a hurry. Peters never speaks without reason."

It was a few minutes past two when he pulled up in the spacious doorway under the great cotton-wood. The roar of the mill stream a rod distant, and the rush of the race over the wheel made conversation with the head miller an exchange of shouts.

"Stream seems to be down a little, Mr. Chester."

The powdered man in the door rubbed a floury forehead with the back of a floury hand.

"I noticed it wasn't any higher as I came through. How's the mill?"

"Well, I don't so much mind her tremblin'," the miller was standing between the wheels now, speaking in the foreman's ear, "but I do hate to feel her give! I'll show you where I mean——"

Chester got out of the buckboard and followed him into the mill. In half an hour he was hard at work with a reluctant staff, recruited from the mill force. He quashed their growls with the same calm energy with which he swung his hammer.

"You'd a sight better be carpenters than corpses," he said. "If we don't stiffen the

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old girl's legs a little, she'll swim before morning."

At eight o'clock in the evening the miller's wife sent the miller's supper, hot, to the mill, because "it was such a bad night he might not want to come home just for that." The head miller insisted on the foreman's joining him, and the two ate rabbit stew and hot biscuits off the high desk in the dingy office.

The foreman looked upon the miller with envy. "To think," he said, "of anyone caring to make things so comfortable! A man never would! women are so different!"

The head miller stared. He was twenty years married.

"Oh, yes, they're made that way," he assented. "She's pretty smart, my old lady!" His teeth sank luxuriously into a biscuit. The foreman wondered fearfully whether a pink-and-white butterfly could ever stoop so low as to think of a foreman's eating and drinking.

"Mr. Chester!" It was Bob Ritter, standing in the office door, turning his soft hat round and round in his fingers. "Mr. Chester, can I go over to the dance at the warehouse?"

That dance again!

"Why, Bob, I need all you men here to-night, and I can't let one go without the whole gang."

"Jus' 'cross the road," complained the boy.

"Don't make any difference! I want all you fellows here to-night, and *sober*," he added, emphatically. "And Bob—I want you to shut the gates, now. Shut both gates."

The boy stared. "The other's the 'mergency gate; it's never shut."

The foreman's eyes were ominous. "Well, this *is* an emergency. I want that gate shut *tight!* Understand? Take Pete Duff with you—it'll be too much for you alone, and mind that new bolt I showed you."

The boy shuffled out. The foreman turned sharply to the miller. "Does he drink much?"

"Not to notice." The miller read the unspoken thought. "He's safe enough. He shut the gate all last summer."

"Well, we'll take a look at the prop under the wheel as soon as the water's off."

The foreman strode away through the grotesque shadows of the mill. Above his head busy wheels spun ceaselessly. The gleaming belts slid noiselessly between the big and little. He paused by the water door. The light of a solitary lantern lay in a broken gleam on the flurry of the race. Then he walked to the front of the mill, and stood looking out. The door of the largest warehouse opposite was open. A broad bar of light streamed out. A man was planting a pole with a lantern just outside the door, to show where stepping-stones had been set in the mud. He heard wheels rumble over the race culvert, and voices shouting back and forth, shrill, laughing voices. Three rigs drew up before the lighted door. One after another, feminine shapes stepped from the vehicles into the light, and the man with the lantern welcomed them hilariously. One was matronly, two or three were slim, with glints of white or blue under their coats. But *she* was not one of them! No, of course not. She would come from the other direction. More hoof-beats. This time it was—no, it wasn't; was it? No—the miller's wife, in all the glory of a silk waist.

Now there was a jungle of dark vehicles in the bar of light, and from these, like butterflies half out of their cocoons, emerged shapes in hoods and mackintoshes, with flimsy flares of colors where the loose coats flapped. They flitted through the lighted doorway. A sound of scraping violins piped thinly against the roar of the mill stream. He looked to the left of the mill where the race bank rose steeply, to the right where the mill stream ran. These two met and were merged in one another just behind the mill. Thus, the two streams of water, and the line of three warehouses made an acute triangle of low land, with the mill in the acute angle. It occurred to the foreman that it was a peculiarly nasty situation at high water.

"These people are crazy," he muttered. His eyes were fixed on the mill stream. Was there something moving in the current? Could anyone be trying to cross with a team? Yes, and the horses must be swimming! He heard a scrape of wheels, a scramble of hoofs; a moment later a light buggy drew up at the warehouse. From under its shiny black hood a gauzy, gleaming creature, pink as a blossoming cherry-tree, poised in the doorway. At the sight of that glinting head he drew a long breath.

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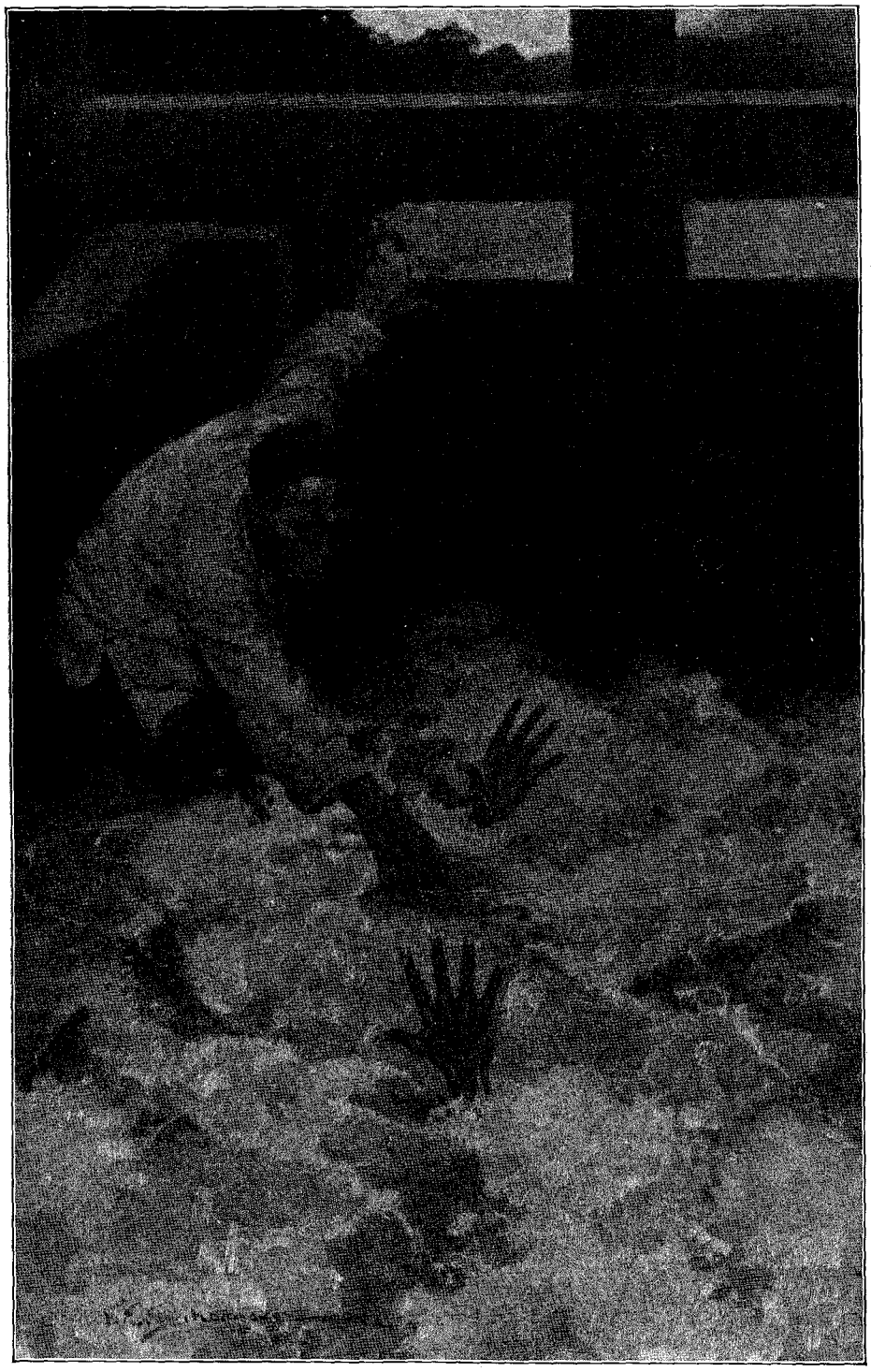

Drawn by F. E. Schoonover.

Clutching hands rose through the stir.—Page 342.

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"Mr. Chester"—it was the miller's voice—"the water's off now."

"Oh! All right!" He wheeled and walked back through the now silenced mill.

As soon as the machinery had ceased to hum the hammers began. Hand and eye and resolute shoulder set their strength to the strength of the water. Hour after hour, in the slimy box of the empty race the foreman stooped, and showed with his hands the way the thing should be done; and in gusts above the ceaseless, unmodulated voice of the mill stream came the lilt of the violins.

Not until all was done, and well done, and the foreman was climbing out, well pleased with himself, did he notice that he had been standing in water. He stopped, stooped, and felt with his fingers. It was six inches deep, where ten minutes ago it had been two, and it was flowing.

"What's wrong, Mr. Chester?" The miller's voice was speaking above.

"Nothing—dropped my knife. Say, Peters"—he swung out hand over hand—"have you seen Ritter since he came back from the gates?"

"No. Want him?"

"H'm! I'd like to know where he is?"

"Mr. Chester—" this time it was the miller's man. He looked apologetic.

"It's Miss Boyce!"

"Who?"

"Miss Boyce wants to see you, sir."

The foreman walked forward, feeling like a man in a dream.

Neith was standing in the doorway. Beside her was a slick-haired, sallow young man with an odious vermilion tie. She wore a man's coat and cap, from the sheath of which she flowered like a rose.

"Oh, Mr. Chester," she began, "aren't you coming over? We've been expecting you for the longest while." There was a timidity in her gray eyes that was a new expression there; but he saw only the insolent redness of her mouth.

"I'm sorry, Miss Boyce, but I can't leave here to-night."

She bit her lip. "Just such a little way?"

"Even such a little way."

"But the men were all invited, you know. Can't some of them come? Surely you don't need them all?"

"If one goes, all go! We are your outposts, you see, Miss Boyce. We must not be deserters."

Perhaps some look of eye, some twitch of mouth betrayed his uneasiness to her—perhaps it was a thought born in her own mind, that made her hesitate. "Well," she said, half turned—and saw the grin on her escort's face. She wheeled quickly. "You must be having a pleasant evening!" she called back over her shoulder.

He was made suddenly aware of his slime covered clothes and muddy face. He strode over to the warehouse through the mud and water. When she jumped from the buggy at the warehouse door she found him there—waiting to help her out. He barely acknowledged her thanks. He was looking among the dancers. They stared at him where he moved among their gayety, a solitary, grim, dirt-covered figure. His alert eyes fell on Tom Mendez, the only young rancher in the country whom he had taken the trouble to talk to. He liked Tom. Tom had a head. His hand fell on the young man's arm.

"Mendez!"

"Hullo—why, glad you've come."

"I'm only looking for one of my boys, Bob Ritter—can't find him. I think he sneaked over here. Have you seen him?"

"Bob Ritter? Why, came in here an hour or two ago for a drink of whiskey—said he was cold. Struck me he'd had some before. Anythin' wrong?"

"Guess not—that is—see here, Mendez," he pulled him aside, "I'm not sure that everything's straight at the gates. I'm going up. If the water gets any higher in the race, send those people home. Tell 'em the bridge won't last through the night—it may not. Tell 'em anything, only get 'em away!"

Mendez nodded. "Need a horse?"

"No—mine's over there, and—Mendez, if things don't go right—keep an eye on Miss Boyce."

He dropped into darkness.

His horse, Dandy Jim, stood in the lee of one of the smaller warehouses. Swinging into the saddle he rode over to the race, and up the bank, and looked down into the flume. The water ran a foot deep. He turned back to the mill, spoke a moment at the door with the head miller, then wheeled and galloped valleyward.

Dandy Jim's hoofs rang hollowly over the race culvert, sounded a barely audible squash, squash, down the quaggy hollow,

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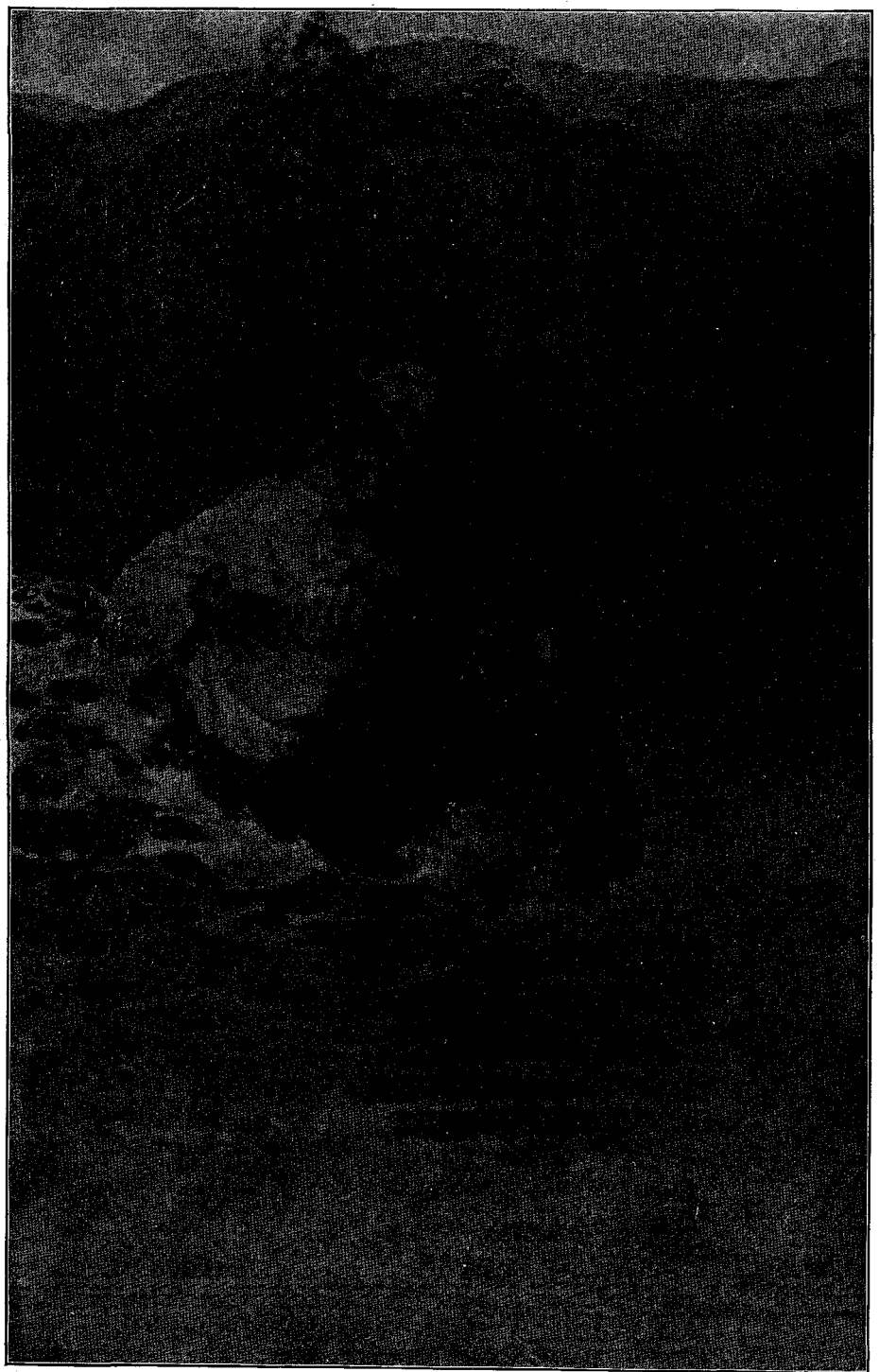

Drawn by F. E. Schoonover.

All the world was water except the strong arm around her.—Page 342.

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and stretched out on the trembling bridge in prolonged thunder. Flurries of foam flashed to the lantern's spark. The spray dashed over him. The menacing voice of the river dinned in his ears long after he had left the bridge. Wet branches whipped his face. Unexpected runnels deluged him with water. The terrible uncertainty of the trouble at the end of the ride, whether a leak—that might be fatal, or an open gate—that meant murder, made the three miles endless. He knew the swing of the upper bridge beneath him with a grim relief, wheeled left, past the dark mass of the woollen mills, and felt the river wind full in his face.

The clamor of the water assailed his ears furiously. The ground beneath him throbbed with the strong pulse of it. He thought he was immediately above the river—on the brink of it. He pulled up short, lifting the lantern high. Then he saw the water, still a score of feet away. Beyond the willow stems that danced like withes, it rushed a huge body, black under a thinly clouded sky. Where that morning dark banks had sharply rimmed the swinging tide, was only a strong ripple to the roots of the fringing willows. The channel ran flood full.

Chester rode forward, straining his eyes for a sight of the race-head, and listening with ears well attuned to all the various voices of water for the thumping of the river on the face of the emergency gate. To the left he heard the "chug" of a section of bank as it slid off and was swallowed up by the river; to the right he saw a white swirl in the bottom of the race-box. He turned the last willow clump—and suddenly a black square sprang into sight, and blotted out river and shore. The emergency gate was open.

Under it the river spun with a churning rush. It rode so high that it beat up against the open gate. But through the Merced's full-throated roar there was an under-sound that sent the foreman out of the saddle and stumbling down the bank.

The ground that he stood on shook with the volleying of the river. But there was a sucking swash of an intermittent flow, a spasmodic, irregular gasp, a choking gurgle, like a death-rattle in the throat of the race. The inner gate chattered like a maniac. A leak never made such an infernal sound—not with all the power of the Merced, trying to crowd through a three-inch crack.

As he ran on, another sound reached him between the shrieking of the gate and the knocking of the river, a sound that was neither the halloa of a man, nor the yell of an animal. Again it came, blurred in the tumult. He made a trumpet of his hands and shouted:

"Who are you?"

The wind snatched the words from his lips before they were well spoken. He was fairly upon the main gate before he saw it. It struck him, even in that perilous moment, that there was something unwonted in its aspect. As he looked, it stirred to the assailing tide. Again there was the horrid gasping pulse. The water drove under it with a throb, as though the river were a great hydraulic pump behind it.

Then he saw that the left gate post seemed swelled to thrice its right proportion. It moved. Something beside the river was tampering with the gate. A blind rage was upon him. At the moment his hand struck the windlass, a voice, clamorous, unintelligible, was in his ears. He seized a living shoulder. He saw eyes like black slits in a blanched face. Hook-like fingers were on his wrist. In a flash he remembered the Chinese camp down the river, and the unintelligible voice was explained.

"What are you doing? Get off that gate!"

His hand was on the Chinaman's collar. The creature clung like a limpet.

"No can—no can," he clamored. "Water he allee time push up!"

Chester, one hand on the upright, hung over the gate. It lifted unevenly to the jets of water, rising on the side where the Chinaman clung.

"That side shut?" he shouted, pointing across the gate.

The man nodded rapidly twice—then with frantic gesticulations downward: "No can shut here—you sabbee lock? No can reach! You shut!" Chester slid his hand down the gate-post. The bolts hung open.

"Move over!" he shouted, and as the Chinaman edged cautiously, he swung his own bulk—clear two hundred—astride the gate. It sunk slowly with a sucking sound. He strained the bolts for the hasp, but before he could slip the catch, the water

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lifted them again. He set his teeth, as the gate settled a second time. The catch snapped. The foreman sat up. The sobbing gasp was stilled, but his unsteady seat swayed in with every beat of the river. It could not singly hold out these heaping waters much longer. He looked behind him at the open emergency gate, twice the thickness of the other, and a foot higher. That must come down, he thought.

The Chinaman was scrambling to the bank in the foreman's wake. There was something familiar to Chester in the movement of that thin, impish figure.

"Where you come from?" he demanded.

"Over there." The little man pointed up the river. His slant eyes were a foot below the foreman's own. The foreman seized him by the shoulders.

"Wong!"

The slant eyes glittered.

"Gate plenty shut, I think, so I go," he said. The foreman's hand was still on his arm.

"Wong, you see that gate?" He pointed out, the Chinaman's arm instinctively followed his own.

"I think we shut that, too. Keep water out."

Wong jerked his head. "All li'," he said.

Chester laid hold of the windlass. It came round in his hands with a sickening ease, and the gate still stood stark against the sky. Plainly there was something out of gear. Chester looked quickly about. The idea of two men shutting that gate in the face of the river with nothing but their hands, was absurd.

Wong had stooped.

"I think you take him," he said.

Chester closed his hand over a crowbar with an exclamation. Upon the steep pitches of life and death is no room for questions or thanks. He spoke, his lips close to the Chinaman's ear:

"Wong, we get up on that gate—sabe?—allee same this one."

Wong made no sign, but scaled the emergency gate with the dexterity of a monkey. As the foreman dragged his long limbs up, the gate moved under them, sagged a foot—hesitated, rose with a sickening heave, settled another foot. With one end of the crowbar under a projecting beam in the sluice, and their united strength upon the other, they pried amain. The gate settled a few inches, rose again on the heaving floor of water. The inner gate groaned. The foreman spoke between gasps.

"Wong! I go other side. You stay here. Sabe? Hold him bar! *Don't let go!*"

He crawled across the gate on hands and knees, flung himself face down in the mud of the bank, and felt down the side of the race-box for the rusty bolt-hole disused with the new locks. Thank God, it was wide enough! He slid the end of the crowbar down from the crevice where it thrust. It took all the strength of his mighty wrists, but he dared not tell Wong to loosen his grip for a moment. After an interminable instant he heard it grind into the lock-hole.

He sprang to his feet and ran back to the side of the emergency gate, where Wong still clung to the creaking bar, sprung high in the air by the lowered point. What should be done? Both strengths were necessary, but that was impossible on the gate, and the gate was too high, the race too wide, for the bar to be reached from where he stood. There was a way—a breathless risk—but the only way.

"Wong," he shouted in the teeth of the river's defiance, "when the gate shuts, you lock. Sabe?"

Wong, his body laid flat along the bar, fixed his eyes on the foreman's movements without a word.

Climbing half way up the gate-upright, Chester reached and took in one hand the end of the bar that projected inward over the boiling flow that whirled against the inner gate. Then his other hand closed over it. He kicked his feet free, and swung out.

The gate groaned. The lever sprang under the Chinaman, and flung him back. He saved himself with his long nails in the wood. For an instant he peered at the foreman's body, hanging dead weight at the end of the bar—black on whirling white. The gate quivered, in an awful pause between life and death—sank lower—trembled, lifted, ground into the sluice bottom.

Wong was on the bank. His cunning fingers found and fitted the locks in an instant. As swiftly he was up again, wiggling over the gate like a snake, and down on the other side.

As the first hasp snapped he heard a

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sharp splash. The bar sprang into the air, shooting like a lance. Wong carefully fitted the second bolt and waited to hear it snap. Then he peered over the foam that beat up in the pot between the shut gates.

Clutching hands rose through the stir, then a dark swash of hair. This Wong reached, raised and clung to, until the clutching hands could hold.

The seething broth of waters was subsiding, when the foreman laboriously drew himself, one long limb after another, from the sluice-box, and fell upon his face in the mud. The knocking of the river roused him. He pulled himself up on hands and knees, listening.

"God!" he said, and it was not a curse. He heard the river thumping the face of the emergency gate. Then he remembered Wong. He strained his eyes in the half dark, where nothing moved. He shouted. There was no answer.

"Wong, you come back with me!" Only the voice of the water. What had happened? What had become of the Chinaman? Had he by some horrid chance fallen into the river? Chester swung his lantern along the face of the furious water. Only eddying foam. The race-box was empty. He shouted. This time Dandy Jim squealed, not a rod away. The Chinaman had saved more lives than his own that night—but time pressed Chester horridly. The water licked high, and the banks were uncertain; he could hear the lazy "chug" as some section of undermined earth slid into the river

His hand fell on Dandy's bridle. He found his stirrup and rode like a madman. He did not know he was wet to the skin; he did not know that the blood ran down his face from a cut over his eye. He only wondered whether the Merced had left anything to cross on. The first span of the big bridge rose before him like a triumphal arch. The long floor swayed and swung under him like a bridge of rope. For one wild instant the flood seemed without end, and the bridge floating. Then he struck earth on the other side.

A moment more, and his lantern danced between the warehouses and the mill. The space was a smooth expanse of purling water. The run had spread out, pond-like, under the warehouses. The miller ran out to the door. He stood to his knees in the water, and fear chalked his face whiter than ever had flour.

"How is it?" he stammered.

"Gate's shut," answered the foreman, curtly. "River's rising. Everyone gone?" He looked to the warehouse door. A lantern still burned sickly faint before it. Its reflection dappled the water.

"She wouldn't go," the miller said, simply, "so wife stayed to keep 'em company."

"Send over for your wife," said the foreman, and rode to the warehouse door.

A woman leaned against the warehouse door and sobbed. A girl with a white face and blank eyes sat on the floor, and stared out at the crawling water. Her pink gown was crushed, and clung to her.

"Come on," Chester said, holding out an arm. She started, and nearly fell between the high step and Dandy's hoofs. She stood up, wavering, on her feet. "I thought you weren't coming back," she said.

"Peters will send for his wife. I came for you. Get on."

She put her foot on his in the stirrup, and would have slid up behind him, but he took her into his arms.

"Current's too strong," he said.

The horse snorted and fretted, but his master's hand held his head steadily toward the sweeping stream. They launched into it with the rush of a launching ship. The water rose to the pommel. At the sight of the black, dancing stream, whipped to white by their struggle, the girl shuddered and hid her face in Chester's neck. She felt herself afloat—going down-stream. All the world was water except the strong arm around her. There was a sound like the sea in her ears—then a mighty heave of the horse's body under her, a sharp, quick splashing. They stood still, and she knew that her dress was wet to the waist, that she was shivering.

She opened her eyes, and saw the foreman's face, with a sky full of stars behind it. Then they began moving. She shut them, because the stars danced so. She smelt the damp, ravishing sweet of pear and apple blossoms, and knew they were passing the orchards—felt the keener wind, felt the horse climbing, and knew they were rising the hill. She opened her eyes again because someone kissed her. She saw her aunt's face, and lights of many candles. The foreman had disappeared.

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She lay before the dining-room fire, and they gave her whiskey, hot, and many, many hot bricks and blankets. And still she would not go to bed. "Auntie," she said, "did you kiss me when I came home?"

"Why, dearie, to tell the truth, I was too frightened."

"H'm," said Neith, and fell into reflection that ended in a wan smile. "Auntie, what time is it?"

"Three o'clock, dearie."

"Auntie, who is that on the piazza?"

"Mr. Chester, dearie."

Then Neith allowed herself to be taken to bed.

At nine o'clock the next morning, the foreman, who had not gone to bed at all, was on the front piazza watching the river through a glass. The mill had held on through the night, though the water of the run now lay in a lake that lapped its window-sills. The big bridge still withstood the ram of the river. The high water stood at the flood. The fret, the flurry, the eddy of the rising tides were stilled. It moved with a full, tranquil murmur.

On the whole, the foreman felt the night's work was good. The only thing that marred his contentment was the total disappearance of Wong. He was haunted by a fear that the Chinaman had fallen into the river. If that should be proved, Neith must never know. A light, stealthy step in the hall did not escape his quick ear. The door was open. He turned. Neith tried to flutter past the door—to evade him, as she had done successfully in the days before. He stopped her.

"Where are you going?"

"To get breakfast for auntie—I have to hurry." Her eyes rose no further than the tops of his huge boots.

"Let me help you——"

"Nonsense." The word expressed anying but decision. "You can't *cook*."

"You don't know what I could do—you never gave me half a chance."

"You never waited for it; you don't know how," she murmured, then suddenly looked at him, and bereft them both of reason. She backed hastily away, swerved from him as easily as a willow shakes the wind, and ran.

"Well, you teach me," he said, and tagged her along the piazza. She looked over her shoulder, and her heart danced to see him follow. At the door of the dining-room the appetizing odor of boiling coffee reached their nostrils. On the threshold of the kitchen they both stopped short.

Over the big stove hovered the figure of Wong, manipulating a pan of frying bacon. He looked up at the foreman's exclamation of surprise and grinned.

"Wong, where the devil did you go last night?"

"Gate he heap shut, I go home," the Chinaman announced tranquilly, turning the bacon with a fork.

"Wong," Neith gasped, "what are you doing here?"

His little, twinkling eyes rested on them an instant, then withdrew to the inspection of the bacon.

"Mr. Chester one damn fool—Wong one damn fool! I come back!"

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THE WASHINGTON MONUMENT

By John Finley

'Twixt North and South, a constant prayer
It rises white against the sky,
A heaven-aspiring magic stair
Up which our angels, hearing, bear
A people's Godward cry.

'Tis no new empire-vaunting tower,
As threat'ning rose on Shinar's plain,
Braggart of our expanding power,
Defying Heaven in our rich dower,
Who speak one tongue again.

Nor stands it there in righteous pride
As some strait Pharisee to pray,
Boasting our gifts to some denied,
Speaking self-laud, while we make wide
The borders of our sway.

Earth-broad its deep foundations are,
Laid in a nation's timeless love;
It lifts its eyes to sun and star,
Empty of pride—the avatar
Of what we seek above.

Greed hides it sometimes from our sight,
Or hate or dark adversity,
Yet evermore we know pure white
It suppliant stands through murk and night—
Our ceaseless litany.

Thou art our thanks for victories won,
Mute memory of our patriot sire,
Our vow that duty will be done,
Our prayer for strength with each new sun,
Our pillared cloud and fire!

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TODDYKINS

By Marguerite Merington

WE had meant it to be a carol, with a pudding, Christmas tree, and reconciliation for Mr. Pasmere, but it turned out a mere April fantasy on the theme of Toddykins.

First you must know how Kate Armagh and myself, two humble handmaids of the arts and crafts, came to be cliff-dwellers in that palatial house. Meeting aboard the Celtic on the home-stretch, Kate and I had agreed to enter into a working alliance for the winter, with a view to writing an opera, of which the book should be her composition, the music mine—the work to begin when we had secured for the winter a localized centre among the millions who like myself open every working year by walking the streets wondering not *how*, but *where*, they are going to live.

It really all began with the night I fell in with Toddykins. I had been dining at the rectory, and my cousin Wilfrid had seen me back to my quarters somewhere about midnight. The top-floor back, a civil young mechanic, entering in advance, had held the door open for me, so that not till I stood without my own apartments did I realize that the keys were missing from the bag that held my small belongings, with which Wilfrid, who had carried it, had gesticulated lavishly while expounding his reasons for advocating a division of the diocese in preference to the appointment of a bishop coadjutor.

Downstairs I ran and tugged frantically at the bell, but no one heeded the summons. Re-entering I reviewed the situation. On all sides the closed portals of sleeping strangers. Even the basement served as a dormitory for the landlady to the third and fourth generations. I might have sat on the stairs, but the halls were frowsy and microbous. I might have stopped a passing burglar to pick my lock, but misdoubted the felonious precedent. Clearly my refuge lay without, but where? To return to the rectory would not have availed, for its incumbents were pigeonholed like Trappist monks without a plank to spare. Besides, tired souls by night as by day they were tireless, why for anything short of a death-bed repentance should I disturb them! Oh, yes, the city teemed with friendly cabins, but none whose bobbin I cared to tirl at unaccustomed hours. My word was for a bench in some park beneath the stars, but fearing unless boxed and labelled to be technically branded vagrant, I refrained. Two shelters beckoned where a woman without luggage and unattended could present herself late unchallenged, the Salvation Army and a railway hotel. With officers of the former I held cordial relations, but knowing that the dear sisters would rouse me to sound loud timbrel at unholy hours, decided in favor of the hostelry.

It is past one. I am waiting at a corner for a south-bound car. Two others also

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are waiting, and from our shivering isolation in the deserted city we might be the survivors of three rival arctic expeditions, meeting casually at the pole. One asks if I happen to know how long we must wait and shiver. I do not happen to know, this being my first visit to the pole. The other, a wooden-legged man, instructs us that the interval between cars is nineteen minutes and a half, with appropriate profanity. The first speaker compares New York means of transportation unfavorably with Asiatic railways, as to which he seems an authority, and beguiles our waiting by conducting us, me willingly, the wooden-legged man reluctantly, over several thousand interesting miles. When our car comes by, one passenger cools his heels, natural and wooden, profanely on the platform, while the Asiatic traveller enters and seats himself by me. He is oldish, he is small, he is shabby, markedly so, though in a well-groomed way. With all the externals of poverty he has the accent of a highly cultivated gentleman. After completing the Asiatic circuit and retunnelling the Alps he strikes the personal note, though, from a native delicacy no less than the polar isolation that binds us, without the least offence.

"And what may your interests be?" he seeks to know.

I have many interests, but that does not satisfy him; obviously he wants to know why I am out alone at this hour of the night. "Why may I not be an heiress," I suggest, "eccentric, but an heiress?"

"But I allow him none of these graceful courtesies."—Page 347.

"Oh, no!" he is positive of that, so I readily acknowledged being a toiler in the vineyard.

"But not a business woman," he hastily interjects.

"Alas, no! How about the law?"

He shakes his head. "You do not even know your own case!" With equal conviction he rejects for me the stage, dressmaking, and the telephone. "I think," he ventures, "something in the arts and crafts."

"Thank you," I say; "yes, I write songs; the music, sometimes for other people's words, sometimes for my own!"

This seems to give him pleasure; he takes out a little note-book: "I should so much like to think I knew you by name!"

"I would rather think you knew my songs by name," I answer, and, for he is about to tender me his card, "Names only grow rusty unless in constant use!"

"I am sure we must have many acquaintances in common," he persists, and at the first intention mentions a well-known woman who takes the glaze off pottery by lecturing upon it. But I give him no opportunity to follow up the clew, and as the car is rounding the Grand Central Station, I rise, bidding him good-night. He will see me to my destination, however, manifesting a polite surprise when I stop at the ladies' door of the vast unhomelike barracks.

"I take it that you live here?"

"On the contrary, I have never been inside the place!"

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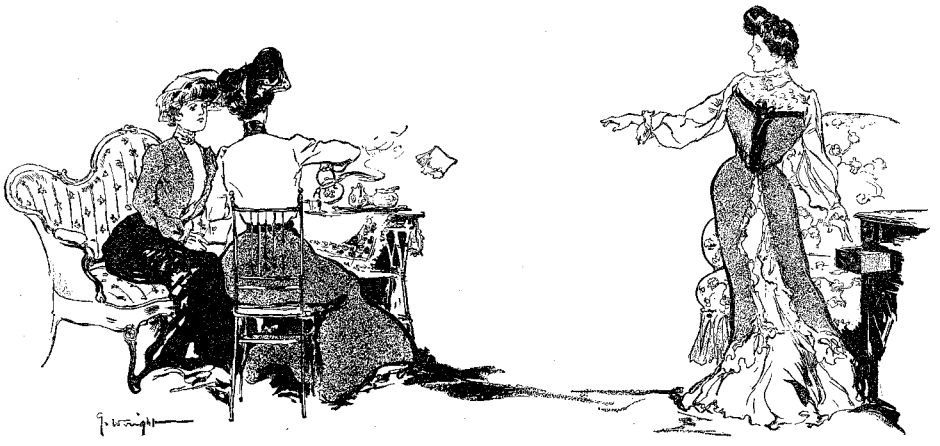

Tossing me a doily.

"You will allow me to place you in the hands of your friends who are waiting for you—to see that the rooms you have telegraphed for are reserved—at least to call and enquire if you have rested well, in the morning?"

But I allow him none of these graceful courtesies. "No one is looking for me; I am unexpected; and in the morning I shall have flown——"

"Whither—whither?" he urges.

"Oh, to the top of an old elm in Trinity churchyard, or up the Hudson to the branches of a tulip tree—good-night!"

But in the morning, instead of elm or tulip bough, I sought Kate Armagh. A brave spirit ordinarily, to-day she was abed crying nervously because she also must move from her sunny nook of a studio, and when I turned her pillow I grazed my finger on a rusty Indian dagger hidden there. Arm in arm, a little later, we sallied forth anew to join the procession of the homeless. We called first on Virgie Chatterton. Good friend, good heart, she joyfully would have housed us while we composed uncounted trilogies, but not only was independence the first law of our being, but even from a certain *esprit de corps* we rarely discussed with her our trials, Virgie never quite being able to get it out of her fair head that the arts and crafts are mechanical toys, the craftist's carpet pets to be put through tricks for the amusement of the leisured. Once at her country house she had thrown open the door of the library where Kate, who was staying with her, was correcting proof; and ushering in a bevy of young people with a showman air, had cried, "There! Look at that! Genius burning like a house afire!" And Kate had been rude and upset the ink.

So if it had not been for the hand-organs we never should have heard of Mr. Pasmere. The finger of Providence undoubtedly was in it, though at the time it sounded like Bedlam.

"Why, don't you know what that is?" asked Virgie, tossing me a doily.

"I do," I replied, fishing the tribute from my tea, "it is a three-cornered fight between 'Hear Me, Norma,' 'Die Wacht am Rhein,' and 'Sweet Marie'!"

"It is Mr. Pasmere's daily concert," elucidated Mrs. Chatterton. "You've never heard of Mr. Pasmere?" Mr. Pasmere, she told us, was old, quite; rich, very. Unmarried. Conservative to a degree. Of a family so distinguished that as its last representative he was kept busy laying wreaths on public monuments—and that, served by a small staff of faithful retainers he lived—just think of it!—all alone, on one floor only, of that enormous house! Look, that's he now, behind those lovely Cluny curtains in a flowered dressing-gown, throwing quarters wrapped in silver paper to the hand-organs!

The picture Virgie pointed out swam before me like a dissolving view. Of her description one sentence remained graven

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We were boarding with his cook.

on my mind. "*He lives—just think of it—all alone, on one floor only, of that enormous house!*"

I looked at Kate's wan face. I thought of our opera alternately dying of inanition or burning out. Next day our household gods joined four million other poor gods languishing in warehouses. A few hurried notes gave my dressmaker as our *poste restante*, explaining that we were going to hibernate in an inaccessible locality—and so Kate and I vanished utterly from our little world.

The arrangement worked like a charm. That superb attic—we never wearied of telling off its advantages upon our fingers—afforded an ideal of cleanliness, quiet, privacy, and sunshine. The food, too, was excellent, though it rather ran to chocolate and dishes of which the raw material comes in silver paper.

"It helps me out," explained the cook. "You see Mr. Pasmere gets the wrappings for them dagos' money off of me!"

By which you will rightly guess we were boarding with his cook, and, unknown to him, lodging with Mr. Pasmere.

It was not lucre tempted that admirable woman so much as the joy of indulging a born gift for intrigue. She it was who devised the code of bells that summoned us to meals in the housekeeper's room, which was her domain. She scheduled our landlord's habits, that we might not encroach on them; the times of his naps and outings, of his memorial visits, his hours at the club. Her watchful hand guarded our seclusion, our comings and goings so as to ensure them secrecy from Virgie's eyes across the way.

The other women were heavily under the domination of the cook, but why Mr. Pasmere's man did not betray us was a mystery till to me was revealed the secret—it was of too fleshy a nature to be classed as skeleton—in Henry's own closet.

"Would you mind stepping this way," one day the cook enjoined me, "As a party with tony notions about art, I want your advice!"

And burrowing in a wardrobe, from among coat tails and suspended trouser legs, she brought forth a canvas far gone in paint.

"There," she cried, giving this the light, "what d' you make of that?"

The crimson splodges I accurately conjectured to be roses, a fountain the blue effervescence, but the centrepiece, a form that would have done credit to a jelly-mould, passed me; however, something

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being due to the artist, I randomly hazarded, "Sea-lion with a mandolin!"

Cook pursed her lips and shook her head, "I don't care nothin' about the mandarin, but that's a female nude!" And she asked if I didn't think Henry must be a very bad young man.

I replied that while undoubtedly a very bad draughtsman, since his were the concepts of a wholly uninformed fancy Henry might still be considered a very good young man. Which Delphic utterance caused the cook a beaming smile.

It was to me cook addressed herself in all our dealings; unable to comprehend soundless music, she took the black marks I spent my days in jotting down for stenography, and respected me for it. While Kate, as a fabricator of lies, as she denominated fiction, earned her pitying contempt. With a significant tap of the forehead she would say of her, "Ah, the pore soul! She writes!" And when on our wall I hung an illustrated rhyme of Kate's which, framed, a magazine had used to announce the issue in which it appeared, cook stood looking at it long and pensively, at last saying to me with melancholy sympathy, "At any rate, pore soul, she got a premium!"

Our landlord himself, naturally, we never beheld, but, though we tabooed gossip, we could not help hearing enough for us to piece out a Cuvier-like structure of his personality. He had all the great

She brought forth a canvas far gone in paint.—Page 348.

virtues, set in curious little extravagances and stinginesses. His shirts must always be brought home from the laundry in a coupé, but all string that came into the house must be taken to him to be unravelled, all paper bags to have their torn edges trimmed for future use. On our attic shelf we came upon a cracked glass such as one buys filled with jelly for a dime, labelled in a delicate old hand, "This Tumbler Leaks."

Occasionally he paid visits out of town, and these seasons we knew by the token that then the cook chewed gum. "It's company for me," she told us, "I get awful lonesome when the dear old man ain't here to cook for!" Also it kept her mind from

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worrying about his safety, lest he should be bitten by snakes at Lakewood, or at Palm Beach, "feel top-heavy in a boat and get drowned!" This phrase led Kate and me erroneously to infer that he was of full habit with tippling propensities.

It was about this time I fell in again with Toddykins.

The opera progressed, but meanwhile, small work being in abeyance, funds were sinking, and I called upon my publishers. Blond, mild Mr. Braubach assured me my songs were selling well, but when I mentioned royalties he assumed a non-committal air, and sent for the treasurer. Portly, personable Mr. Sawyer, who looks as United States Senators should look, when he heard my errand seemed ready to cry with pity for me. "Surely the songs were selling; going like hot cakes, and gaining steadily in favor. But why? Because of the masterly way, if he might say so, masterly, in which they were pushed, advertised. If I would only take the trouble to examine their books, I should be convinced that it was I who was in their debt. People talked of the grasping publisher, but really the firm would have to go into bankruptcy if they continued to handle my songs!"

Heavy at heart I turned to go, but was arrested by the delighted greeting of a customer looking up from the pile of songs he was overhauling. It was the little shabby gentleman.

"I have found you out," he cried, waving a music sheet at me triumphantly.

"Well, then, and who am I?" I challenged him. "Chaminade, or Clara Kathleen Rogers's Browning cycle, or—"

"No," he cut me short, "you are Rose of Sharon and The Greatest Light by Gabrielle Wynne!"

Such an indecent thrill of pleasure ran through me at this recognition, that I masked it with asperity. "From the way you are drumming with your fingers, plainly you don't know one note from another; therefore it must be the words that please you, and for those you must thank Miss Armagh!" I indicated Kate, who was just entering the shop, where she had engaged to meet me.

The little man was in quite a glow at this double honor, as he politely termed it, and begged Kate to read him her lines, which she did in the wooden way she has when shy.

"Ah, that's very nice," he commented, repeating a couplet or so with what a stage manager of my acquaintance terms "dry unctuousness," "very nice indeed!" When to ransom his purchase he pulled forth a shabby wallet, I put out a protesting hand. "Please, no! These happen to be gift copies!" To the clerk I whispered, "Charge them to my account!" And as a parting fling to Sawyer, "Since you are going into bankruptcy, we might as well give them away for the advertisement!"

Our new friend was by this time well-nigh overcome with gratitude. He was for seeing us on our way home; but learning that our road lay by the Fifth Avenue, seemed much abashed by our grandeur, and trotted off hastily down a shabby street.

After that he must have watched out for us, from the gratified expectancy with which he greeted us when at last we met. He looked such a fragile bit of driftwood in the crowded thoroughfare that with one accord Kate and I feigned sudden famine, and leading to a restaurant, begged him to bear us company. We pressed the bill of fare unreservedly upon him, but though he thanked us elaborately, he would only accept a sandwich and a cup of tea. Of these he partook with keen relish. "I fear I have been living over-luxuriously of late," he whimsically observed; "over-eating is my favorite form of suicide!" We smiled at the touching euphemism, but with the smile that downs tears.

It was in the tea I christened him. Kate, wishing to address a remark to him, turned to me. "I do not know our friend's name!"

"Nor do I," I confessed.

Our friend's light gray eyes twinkled. "Since you refused my card once, you yourself shall name me!" At which I promptly took him up with Toddykins—a name of sportive affection given to a friend of our childhood, but now wandering unclaimed about the world. So I gave it to the little shabby gentleman. He showed an interrogative interest in the way small people like ourselves lived by the arts and crafts, and inquired tentatively how in their service one with no gifts beyond

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"I have found you out," he cried, waving a music sheet at me triumphantly."—Page 350.

order, taste, and a certain mechanical facility might earn bread, one such, for instance, as himself."

"Oh," cried Kate, impulsively, "if only you could take charge of Mr. Pasmere's books!"

"Pasmere's books!" exclaimed Toddykins, surprised. "Do they need overhauling?"

So we had heard. In fact, though we did not tell him so, cook that day had reported that Henry called their condition "a disgrice!"

"Dear, dear," he mused, "I must get at them immediately!"

"You know Mr. Pasmere?" we asked.

He knew people who knew the man, but believed in applying direct to headquarters—a maxim in which we cordially encouraged him.

The following day when Kate and I were working, our attic door was pushed softly open, and Toddykins peered in.

"Well, did you get the job?" we hailed him.

Yes, he had got the job, he explained, advancing to shake hands, with apologies for his general grubbiness, in which, however, he exulted as a badge of bread-winning toil. He was so frankly amazed at our presence in the house that we took him into our confidence and made him our accessory. After that he came in frequently, taking extreme precautions lest the servants should discover his discovery of our retreat. Of Henry he stood in especial awe. "The fellow says my appearance is disgraceful," he told us ruefully, "and he actually wanted to get me into a coat that had just come home from the tailor's!"

"Henry wanted you to wear one of his own coats?" I exclaimed, resentfully.

"No, no," corrected Toddykins, "one of Pasmere's!"

The work did him good, and he was pathetically grateful to us for suggesting it.

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After that he came in frequently.—Page 351.

"I am hungry for my meals nowadays," he used to remark, still keeping up the touching euphemism for his poverty. Grateful also was he for the least kindness that it came in our way to show him. Even the tears trickled down his old cheeks when Kate, who threads her needle back to front, and uses the thimble on the wrong finger, mended a rent in his sleeve. For my own part, when examining that rent to decide between a darn and patching, I was sceptical, thinking it a bid for sympathy, for it looked as if it had been started with a penknife!

Soon he knew as much of our fellow craftists as did we, eager like a child for stories of the struggles by which they won success. His favorite was the Blue-china boy, as we called a rising young illustrator, who, no matter what time of day he called on one, had just dined, oh, so heartily, yet who, when pressed on the score of sociability to share a crust, ate, oh, so ravenously, explaining that such was the curious effect blue-china had on him.

Had either of us ever been forced to go hungry? Toddykins bluntly inquired.

Bless him, yes, though more from stupid management than necessity. Kate, while waiting for a delayed $600 cheque, had subsisted for three days on one shredded-wheat biscuit.

"At such times you should call upon your friends," he admonished us.

"Oh, no, one never makes a convenience or necessity of friends!"

"They should provide for you unasked. Someone should leave you a legacy!"

"Oh!" we dropped our pencils simultaneously. "How wicked of you to kill off those we love!"

"I mean a living legacy," amended Toddykins. "Pasmere, for instance; he is disgustingly rich!"

We reminded him that the arts and crafts were trades, not charitable institutions. As for benefits proffered, though only to be refused, each of us recalled an eloquent array. I cited the instance of some one, a stranger to me, whom the papers called a Sugar-king, who, liking my songs, out of sheer good-heartedness, had wanted through a woman-friend, anonymously, to send me a grand piano, also a bundle of sugar-paper which discreetly manipulated as collateral, he said, would secure me an income for life.

"But one must dree one's own weird," we told him; "privation is only a tragedy when others are depending on you. For one's self what's the odds when one is expecting some day to live on laurels!" Toddykins was not satisfied on our behalf and was for marrying us out of hand to millionaires. "There are such nice fellows at the Club." He had access to the club library, grace of Mr. Pasmere. "Not over young, perhaps, and perhaps a trifle

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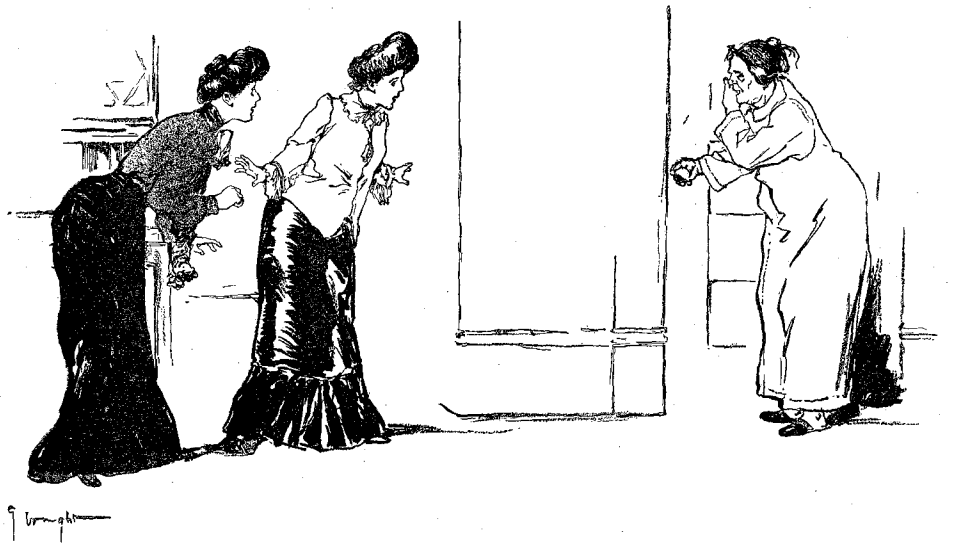

Reported him sleeping like a babe.—Page 354.

crabbed or gouty, but the finest fellows, really, and only needing bringing out." Our frivolous laughter checked him, though after that he rarely gazed at us without a bank-president in each eye.

Indeed, Kate's unwed and my widowed state puzzled and troubled him. His first question about any fellow craftist was sure to be, "Married, or single?"

"In my day," he commented, "there would have been sentiment—sentiment!"

"Sentiment was part of people's education, like deportment," I retorted, "a hundred years ago!"

He turned on me reproachfully and tried to fix me with his years at sixty, or seventy, or it might be eighty something, but, as I told him his decade made no difference, and that had he been born yesterday, Old Gentleman, by Copley, would have been printed on his infant brow. But as he returned so persistently to the matrimonial disposition of our problem, we owned to being as pressingly in demand as he fondly imagined us, though chiefly by lunatics looking for support, and whenever our flattered unlikenesses appeared in the papers.

"No, no," he pinned us down, "you are only mocking, while I'm trying to get at the real thing! Come, now, let me hear the real thing!" And he crossed his legs and leaned back expecting a plummy evening of romance. But I was sleepy, and dismissed him with a Delphic utterance "Wise men don't tell their religion, nor wise women their love affairs!"

So, ultimately, he was forced to accept us as we were, deprecating the conditions that produced us, but loving us despite them!

Now I must tell you how grievously we were disappointed in our Toddykins!

One night, long after the household was in its fastnesses, Kate went across the street to post a letter while I stood guard upon the steps. Stealing back, we noticed a light in Mr. Pasmere's sitting-room, and through the partly opened door beheld an intruder, in shabby old coat and slippers, rummaging in Mr. Pasmere's desk, aye, and counting the silver kept there for his charitable grinders. Imagine our horror when, by the pale taper he carried, we recognized our Toddykins! With a cry we sprang upon him, dashing down and extinguishing his light; then Kate roped him about the neck with the liberty scarf she wore, while I raised an alarm. Cook and Henry came hurrying down, though when to Henry was explained, still in darkness, the situation, he merely remarked, "Since you've got 'im where you want 'im you'd better keep 'im where you 'ave 'im!" and went back to bed. But cook showed herself a thoroughbred.

"Is the burgling party a gentleman?" she asked.

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"Oh, no," replied Kate mournfully, while giving the scarf another vindictive twist, "he is just a common traitor!"

"He!" repeated cook; "that's what I'm getting at!" And she laid a restraining grasp on the hand with which I was about to turn up the electrics. "Here! Just you hold on till I undo my crimps!"

That moment of hesitation lost us our prey. Illumination revealed Kate's scarf twisted around the knob of a chair back, while of the thief there was no trace. Cook, creeping into her employer's room, reported him sleeping like a babe. In fine she discredited the incident, accusing us of throwing candle-grease about the floor, "just to tantalize her."

Kate and I made a thorough, though vain search, and as the front-door chain was as we had left it, secure, we concluded that Toddykins had escaped by the roof. Greatly shocked as we were by his treachery, still it had its comic twist. "How like him," we said, "to have come in slippers with a candle instead of crêpe and a dark lantern!" Still partiality did not blind us to our duty, and we decided when next we saw him to turn him over to the police.

But he gave us no opportunity to bring him to judgment. That was the last we ever saw of our little shabby gentleman!

The winter had sped on wings, and on wings our opera was advancing to completion. Then a miracle happened. A manager promised to give it a scratch production in Easter week, to be followed in the event of its success, by a long run in the fall.

Cook was much excited by our news, which she learned from her weekly perusal of stage-news, and announced her intention of being present and leading a demonstration in our favor. To grace the occasion she went so far as to purchase a new bonnet, a plateau overgrown with grapes, from which one tall, lone, ostrich plume arose. "Ain't it a creation?" she demanded of us. "I got it, tail-piece and all, off of a party in Sixth Avenoo!"

About our own costumes she offered much well-meant advice. "What you want," she decreed, "is to look prepared but not conspicuous, so that when me an' Henry clap you out before the curtain, people will exclaim, 'My! What genteel, simple frocks!'"

Meanwhile our relations with the unconscious-of-our-existence Pasmere were truly delightful. True, more than once, when trying to reconcile twenty-nine conflicting instruments in my head I was on the point of sending down to bid him go elsewhere with his hand-organs, but except that little failing of his he was an ideal landlord, and we regretted the thought of parting from him. Our plan was to give up our attic after Easter, and spend a quiet summer in the country. Then, in the fall, as royalties accumulated, we trusted that our increased means would enable us to find rooms with a common studio, that should combine quiet, privacy, cleanliness and sunshine with a home for our household gods, and a place to receive our friends. Foremost of those we placed Mr. Pasmere. Silence to the grave would have been possible, but from this our pride recoiled. With Virgie as go-between, we planned to woo him with opera-boxes, then to lure him to our lair, where with tears of mingled penitence and gratitude, we would confess our past occupancy of his attic, while pointing out that through this had come about all our success and happiness. For this we selected Christmas as the proper season, garlanding the situation with holly, and mayhap a sprig of mistletoe.

Now and again it crossed my mind that Pasmere might be obdurate and at such moments I own a base thought took me, on the verge of sleep.

"Have you a cold in your head?" Kate enquired, as civilly as a person can, when roused from well-earned slumber.

"Kate," I sobbed, "I am a murderess!"

"Murderer, don't you mean?" she suggested. "You know you never allow me to say authoress!"

"Er or ess," I moaned, "I am it. I have been sticking pins in the waxen image of our benefactor's heart! . . . Kate, it is only April. A far cry to Christmas! Think between now and then how many fatal accidents may happen to Mr. Pasmere!"

"Good Heavens!" exclaimed Kate, sitting bold upright, "how shocking!"

"Isn't it?" I agreed. "And still I am wrestling with the idea that the deep damnation of his taking off would spare us the humiliation of confessing!"

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He gave vent to a wild yell and fled.

Kate bade me go to sleep, and said I was silly, and didn't really mean it; and I didn't really mean it, and was silly, and went to sleep, but I could not forgive myself for having even momentarily harbored the obsession when next day, through the startled household ran the news of Mr. Pasmere's death.

That he had gone on a journey we knew by the token that the cook was chewing gum. Then hoarse shouts of "extras," proclaimed a ferry-boat collision, including among the lost his name.

We were sincerely overcome by grief. Had misgivings of his loyalty ever crossed our thought of him, they now were swept away. We gave him the benefit of all doubts, enshrining him in a loving and forgiving memory. Also the realization that our relation to him must now forever remain *unbekannte Weise* filled us with a sense of human frustration that is the sad concomitant of death. We keenly felt the impropriety of taking advantage of his mortal helplessness by spending another night beneath his roof. Before decamping, however, we went out and spent our almost all upon a sheaf of flowers. Returned, while standing in the hall trying to decide where to bestow these, we became aware that someone had followed us in, and turning, saw Toddykins, or such a tailor-made transcendency of him as almost to surpass recognition. Through my mind it flashed that he too had spent his almost all in re-creating himself externally as a symbol of respect for the departed. Forgiving the nefarious transaction which had been our last vision of him, or forgetting it, we ran sobbing to him for sympathy. His manner was heartless in the extreme.

"Oh, pshaw," he exclaimed, "let's have some tea!" And leading into the drawing-room, he rang as if he were heir-at-law. Henry answered his bell on the spot, for we found him lolling on the sofa with a magnificent dolor on his brow, but, doubtless overcome by the temerity of Toddykins, he gave vent to a wild yell and fled. While Kate and I were still puzzling out the situation, the cook, who had been hunting for us, appeared. Red-eyed and moist with grief, her ruling passion still was strong in Pasmere's death, for in one hand she held the bonnet, now draped with weeds, and in the other the uprooted feather.

"Look," she bade us proudly, "I got them weepers off a lady friend. With Mr. Pasmere called to Heaven, I can't go into feathers!"

"If Pasmere's called to Heaven, he's the one to go into feathers, isn't he?" suggested Toddykins.

We were about to rebuke him sharply for the ribald jest, when cook shrieked and would have fled even as Henry had done, but that he placed himself between her and the door.

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"Well, it's out," declared cook, truculently, at bay in the centre of the room. "Now you know about them two." She jerked her head at Kate and me. "But I want you to understand it's been separate maintenance, and that I ain't got nothing off of you, no, not so much as a lick of dripping or a pinch of salt for their keep! And discharge me, if you have the heart to." Here she burst into tears. "You know there ain't a living chef what can fix you up a rich and tasty gravy same as you get off of me, Mr. Pasmere!"

Mr. Pasmere!

We gazed upon the figure before us, and saw Toddykins recede, while our landlord developed like a negative forever to take his place.

Kate broke the guilty silence. "You know. You've always known," she faltered, "and now we know you know!"

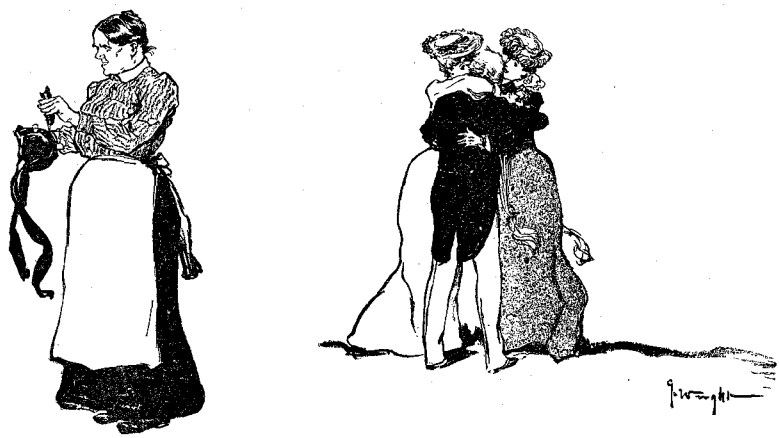
"No apology is adequate," Kate went on with a brave show of dignity. "There is nothing to be said, nothing!" She broke off and made to go, but I lingered, feeling that there must be some suitable valediction, though for the life of me unable to formulate it.

And there was, and it came from Mr. Pasmere. "Oh, but we mustn't part like this! The association has been too precious, at least, to me! I know I am quite unworthy, that, however much I may prowl around in shabby clothes, I am only an amateur. I never quite grasp the real thing; but this little intimacy with the arts and crafts in their spontaneous workings has meant so much to me. I should never presume, never offer legacies, collateral, or any other undesired arrangement."

Beautiful Toddykins, to take the burden of mortification from our backs, where it belonged, upon his own! Kate went red and I gooseskin at such a magnanimity, but he, mistaking our silence, when he had blown his nose, continued, "Besides you owe me your friendship, for you have saved my life. I was just going aboard that ferry-boat, when I saw the date of your first-night announced, and came back. I felt I must be on hand to applaud, or in the event of its being, being above the popular level, to stand by."

"You dear," cried we with one breath, while Kate's long arms doubled themselves round his neck and my short ones tried to circle his waist.

He pressed us symmetrically to his God-fearing, old-gentleman, white waistcoat in a fatherly embrace. Over his shoulder I caught a glimpse of the cook. She had torn the crêpe from the creation, and was replacing the tail-piece, sticking it up straight, defiantly!



"You dear," cried we.

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SOME FAMOUS JUDGES

By George F. Hoar

UNQUESTIONABLY the most important character in the legal history of Massachusetts is Chief Justice Lemuel Shaw. He was a great lawyer before he came to the bench. He had written one or two very able articles for the *North American Review*, one of them a vigorous statement of the opinion of Massachusetts upon slavery. He was the author of a petition signed by many of the leading men of Massachusetts in opposition to the high tariff of 1828. No more powerful statement of the argument against high protection can be found. I have been surprised that the modern free-traders have not long ago discovered it, and brought it to light. He was one of the managers of the impeachment of Judge Prescott, securing a conviction against a powerful array of counsel for the defendant, which included Daniel Webster. He was consulted in difficult and important matters by eminent counsel in other counties than Suffolk.

But all these titles to distinction have been forgotten in his great service as Chief Justice of Massachusetts for thirty years. No other judicial fame in this country can rival his, with the single exception of Marshall. He was induced to undertake the office of Chief Justice very reluctantly, by the strong personal urgency of Mr. Webster. Mr. Webster used to give a humorous account of the difficulty he had in overcoming the morbid scruples of the great simple-hearted intellectual giant. He found Mr. Shaw in his office in a cloud of tobacco-smoke. Mr. Webster did not himself smoke, and was at some disadvantage during the interview for that reason.

Mr. Shaw was rather short in stature and, in the latter part of his life, somewhat corpulent. He had a massive head, a low forehead, and strong and rather coarse features. He reminded you of the statues of Gog and Magog in the Guildhall in London. His hair came down over his forehead, and when he had been away from home for a week or two, so that his head got no combing but his own, it was in a sadly tangled mass. His eye was dull, except when it kindled in discussion, or when he was stirred to some utterance of grave displeasure.

There is an anecdote of Mr. Choate which occasionally goes the rounds of the papers, and which is often repeated quite inaccurately. The true version is this. I heard it within a few hours after it happened, and have heard it at first hand more than once since.

Mr. Choate was sitting next to Judge Hoar in the bar when the Chief Justice was presiding, and the Suffolk docket was being called. The Chief Justice said something which led Mr. Choate to make a half-humorous and half-displeased remark about Shaw's roughness of look and manner, to which Judge Hoar replied: "After all, I feel a reverence for the old Chief Justice."

"A reverence for him, my dear fellow?" said Choate. "So do I. I bow down to him as the wild Indian does before his wooden idol. I know he's ugly; but I bow to a superior intelligence."

Judge Shaw's mind moved very slowly. When a case was argued, it took him a good while to get the statement of facts into his mind. It was hard for him to deal readily with unimportant matters, or with things which, to other people, were matters of course. If the simplest motion were made, he had to unlimber the heavy artillery of his mind, go down to the roots of the question, consider the matter in all possible relations, and deal with it as if he were besieging a fortress. When he was intent upon a subject, he was exceedingly impatient of anything that interrupted the current of his thought. So he was a hard person for young advocates, or for any other unless he were strong, self-possessed, and had the respect of the judge. My old friend and partner, Judge Washburn, once told me that he dreaded the law term of the court as it approached, and sometimes felt that he

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would rather lay his head down on the rail, and let a train of cars pass over it, than argue a case before Shaw. The old man was probably unconscious of this failing. He had the kindest heart in the world, was extremely fond of little children and beautiful young women, and especially desirous to care for the rights of persons who were feeble and defenceless.

I was myself counsel before him in a case where the question was whether a heifer calf, worth six or seven dollars, the offspring of the one cow which our law reserves to a poor debtor against attachment, was also exempt. My opponent undertook to make some merriment about the question, and there was some laughter at the Bar. The old Chief Justice interposed with great emotion: "Gentlemen, remember that this is a matter of great interest to a great many poor families." There was no laughter after that, and that heifer calf did duty in many a trial afterward, when the young advocates at the Worcester Bar had some poor client to defend.

The Chief Justice had not the slightest sense of humor. When old Judge Wilde, the great real property judge, died after an illustrious judicial service of thirty-five years, somebody showed Chief Justice Shaw a register published in Boston which recorded his death, "Died in Boston, the Honorable Samuel S. Wilde, aged eighty, many years Justice of the Peace." It was passed up to the bench. The old Chief Justice looked at it, read it over again, and said, "What publication is this?"

In the old days, when the lawyers and judges spent the evenings of court week at the taverns on the circuit, the Chief Justice liked to get a company of lawyers about him and discourse to them. He was very well informed, indeed, on a great variety of matters, and his talk was very interesting and full of instruction. But there was no fun in it. One evening he was discoursing in his ponderous way about the vitality of seed. He said: "I understand that they found some seed of wheat in one of the pyramids of Egypt, wrapped up in a mummy-case, where it had been probably some four thousand years at least, carried it over to England last year and planted it, and it came up and they had a very good crop."

"Of mummies, sir?" inquired old Josiah Adams, a waggish member of the bar.

"No, Mr. Adams," replied the Chief Justice, with a tone of reproof, and with great seriousness. "No, Mr. Adams, not mummies—wheat."

Adams retired from the circle in great discomfiture. He inquired of one of the other lawyers, afterward, if he supposed that the Chief Justice really believed that he thought the seed had produced mummies, and was told by his friend that he did not think there was the slightest doubt of it.

Chief Justice Shaw, though very rough in his manner, was exceedingly considerate of the rights of poor and friendless persons. Sometimes persons unacquainted with the ways of the world would desire to make their own arguments, or would in some way interrupt the business of the court. The Chief Justice commonly treated them with great consideration. One amusing incident happened quite late in his life. A rather dissipated lawyer who had a case approaching on the docket, one day told his office-boy to "Go over to the Supreme Court and see what in hell they are doing." The Court were hearing a very important case in which Mr. Choate was on one side and Mr. Curtis on the other. The bar and the court-room were crowded with listeners. As Mr. Curtis was in the midst of his argument, the eye of the Chief Justice caught sight of a young urchin, ten or eleven years old, with yellow trousers stuffed into his boots, and with his cap on one side of his head, gazing intently up at him. He said, "Stop a moment, Mr. Curtis." Mr. Curtis stopped, and there was a profound silence as the audience saw the audacious little fellow standing entirely unconcerned. "What do you want, my boy?" said the Chief Justice. "Mr. P. told me to come over here and see what in hell you was up to," was the reply. There was a dive at the unhappy youth by three or four of the deputies in attendance, and a roar of laughter from the audience. The boy was ejected. But the gravity of the old Chief Justice was not disturbed.

He had a curiously awkward motion, especially in moving about a parlor in

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social gatherings, or walking in the street. I once pointed out to a friend a ludicrous resemblance between his countenance and expression and that of one of the tortoises in the illustrations of one of Agassiz's works on natural history. To which my friend replied: "It is the tortoise on which the elephant stands that bears up the foundations of the world," alluding to the Hindoo mythology.

Chief Justice Shaw's opinions, as we have them in the reports, are exceedingly diffuse. That practice would not answer for a generation which has to consult the reports of forty-five States and of the Supreme Court and nine judicial circuits of the United States, besides the reports of the decisions of some of the district judges and in most cases the English decisions. But it would be a great public loss if any of Chief Justice Shaw's utterances were omitted. His impulse, when a question was argued before him, was to write a treatise on the subject. So his decisions in cases where the questions raised are narrow and unimportant are often most valuable contributions to jurisprudence. He seldom passed over any point or suggestion without remark. He went to the bottom of the case with great patience and incredible industry. The counsel who lost his case felt not only that he had had the opinion of a great and just magistrate, but that every consideration he could urge for his client was respectfully treated and either yielded to or answered. Some of his ablest and most far-reaching decisions were written after he was eighty years old.

He possessed, beyond any other American judge save Marshall, what may be termed the statesmanship of jurisprudence. He never undertook to make law upon the bench, but he perceived with a far-sighted vision what rule of law was likely to operate beneficially or hurtfully to the Republic. He was watchful to lay down no doctrine which would not stand this test. His great judgments stand among our great securities of life, liberty, and property, like the provisions of the Bill of Rights.

The Chief Justice was a tower of strength to the Massachusetts judiciary. But for him it is not unlikely that the State would have adopted an elective judiciary or a tenure limited to a term of years. But the whole people felt that his great integrity and wisdom gave an added security to every man's life, liberty, and property. So the proposition to limit the judicial tenure, although espoused by the two parties who together made up a large majority of the people of the State, was defeated when it was submitted to a popular vote. It is, however, a little remarkable that in the neighboring State of Vermont, for many years the judges of the Supreme Court were annually elected by the Legislature, a system which, I believe, has worked on the whole to their satisfaction. They have had an able judiciary. It is said that old Chief Justice Shaw was one evening discoursing at a meeting of the Boston Law Club to an eminent Vermont judge, who was a guest. He said, "With your brief judicial tenure, sir"— The Vermonter interrupted him and said, "Why, our tenure of office is longer than yours." "What do you mean?" said the Chief Justice. "I do not understand you." "Why," was the reply, "our judges are elected for a year, and you are appointed as long as you behave yourselves."

Chief Justice Shaw is said to have been a very dull child. The earliest indication of his gift of the masterly and unerring judgment which discerned the truth and reason of things was, however, noticed when he was a very small boy. His mother one day had a company at tea. Some hot buttered toast was on the table. When it was passed to little Lemuel he pulled out the bottom slice, which was kept hot by the hot plate beneath and the pile of toast above. His mother reproached him quite sharply. "You must not do that, Lemuel. Suppose everybody were to do that?" "Then everybody would get a bottom slice," answered the wise urchin.

Judge Shaw had the sturdy spirit and temper of the old seafaring people of Cape Cod, among whom he was born and bred. He was fond of stories of the sea and of ships. He liked to hear of bold and adventurous voyages. Judge Gray used to tell the story of the old Chief's standing with his back to the fire, with his coat-tails under his arm, in the Judges' room at the Suffolk Court-house, one

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cold winter morning, when the news of the fate of Sir John Franklin's expedition or the story of some other Arctic tragedy had just reached Boston and was in the morning papers.

"I hope, sir," said Judge Bigelow, "that there will be no more of these voyages to discover the North Pole."

"I want 'em to find that open polar sea, sir," said Shaw.

"But don't you think," said Judge Bigelow, "that it is too bad to risk so many human lives, and to compel the sailors to encounter the terrible suffering and danger of these Arctic voyages?"

"I think they'll find it yet, sir," was all the reply Bigelow could get.

Judge Shaw, in his latter days, was reverenced by the people of Massachusetts as if he were a demi-god. But in his native county of Barnstable he was reverenced as a god. One winter, when the Supreme Court held a special session at Barnstable for the trial of a capital case, Judge Merrick, who was one of the judges, came out of the court-house just at nightfall, when the whole surface of the earth was covered with ice and slush, slipped and fell heavily, breaking three of his ribs. He was taken up and carried to his room at the hotel, and lay on the sofa waiting for the doctor to come. While the judge lay, groaning and in agony, the old janitor of the court-house, who had helped pick him up, wiped off the wet from his clothes and said to him, "Judge Merrick, how thankful you must be it was not the Chief Justice!" Poor Merrick could not help laughing, though his broken ribs were lacerating his flesh.

Next to Chief Justice Shaw in public esteem, when I came to the bar in December, 1849, was Mr. Justice Wilde. He was nearly eighty years old, and began to show some signs of failing powers. But those signs do not appear in his recorded opinions. He was a type of the old common-lawyer in appearance and manner and character. He would have been a fit associate for Lord Coke, and would never have given way to him. I suppose he was never excelled as a real-property lawyer in this country. He had the antiquated pronunciation of the last century, a venerable gray head and wrinkled countenance, with heavy gray eyebrows. He seemed to the general public to be nothing but a walking abridgment. Still, he was a very well-informed man, and had represented a district of what is now the State of Maine in Congress with great distinction. A friend of mine went rather late to church at King's Chapel one Sunday when the congregation had got some way in the service, and was shown into the pew immediately in front of old Judge Wilde. The judge was just uttering in a distinct, clear tone, "Lord, teach me Thy statutoots." It was the only petition he needed to have granted to make him a complete judge. Of the Lord's common law he was a thorough master.

He was no respecter of persons. He delivered his judgments with an unmoved air, as if he had footed up a column of figures and were announcing the result. When I was in the law school, Mr. Webster was retained to argue an important real-estate case before Judge Wilde in Suffolk County. Mr. Webster was making what would have been a powerful argument on a question of land-title but for a statute passed since the days of his constant practice, which had not come to his knowledge. There was a great audience, and when Mr. Webster had got his point fairly stated, he was interrupted by Wilde. "Pooh, pooh, Mr. Webster." The judge pointed out that Webster had overlooked one link in the chain of his antagonist's title.

"But," said Mr. Webster in reply, "the descent tolls the entry."

"That rule is abolished by the statoot, sir."

"Why didn't you tell me that?" said Webster angrily to his junior.

Another of our great old judges was Judge Fletcher. He had had a great practice as an advocate in Boston, especially as a commercial lawyer. He had a great power of clear statement. He brought out his utterances in a queer, jerking fashion, protruding his lips a little as he hesitated at the beginning of his sentences. But he knew how to convey his meaning to the apprehension of courts and juries. He left the bench less than two years after I came to the bar. I never had but one important case before him. He was a bachelor. He was very interesting in conversation, liked the company of young

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men, who never left him without carrying away some delightful anecdote or shrewd and pithy observation.

A lawyer from the country told me one day that he had just been in Fletcher's office to get his opinion. While he was in the office, old Ebenezer Francis, a man said to be worth $8,000,000, then the richest man in New England, came to consult him about a small claim against some neighbor. Fletcher interrupted his consultation with my friend and listened to Mr. Francis's story. In those days, parties could not be witnesses in their own cases. Fletcher advised his client that although he had an excellent case, the evidence at his command was not sufficient to prove it, and advised against bringing an action. Francis, who was quite avaricious, left the office with a heavy heart. When he had gone, Fletcher turned to my friend and said: "Isn't it pitiful, sir, to see an old critter, wandering about our streets, destitute of proof?"

But the most interesting and racy character among our old judges was Theron Metcalf. He used to say of himself—a saying that did him great injustice—that he was taken to fill a gap in the court as people take an old hat to stop a broken window. He undervalued his own capacity. He was not a good judge to preside at jury trials. He had queer and eccentric notions of what the case was all about, and while he would state a principle of law with extraordinary precision and accuracy he had not the gift of making practical application of the law to existing facts. So a great many of his rulings were set aside, and it did not seem, when he had held a long term of court, that a great deal had been accomplished. But he was a very learned common-lawyer. His memory was a complete digest of the decisions down to his time. He comprehended with marvellous clearness the precise extent to which any adjudged case went, and would state its doctrine with mathematical precision.

He hated statutes. He was specially indignant at the abolition of special pleading. He sent word to me, when I was Chairman of the Judiciary Committee in the Massachusetts Senate, asking to have a provision enacted for simplifying the process of bringing before the full bench for revision the proceedings in habeas corpus, or mandamus, or certiorari, or some other special writ, I forget now what. I called upon him at once, and pointed out to him that exactly what he wanted was accomplished by the Practice Act of 1852. This was the statute under which all our legal proceedings in cases affecting personal property were had. Metcalf said, with great disgust: "I have said, sir, that if they did not repeal that thing I would read it."

He used to enliven his judgments with remarks showing a good deal of shrewd wisdom. In one case a man was indicted for advertising a show without a license. The defendant insisted that the indictment was insufficient because it set out merely what the show purported to be, and not what it really was. On which the Judge remarked: "The indictment sets out all that is necessary, and, indeed, all that is safe. The show often falls short of the promise in the show-bill."

There was once a case before him for a field-driver who had impounded cattle under the old Massachusetts law. The case took a good many days to try, and innumerable subtle questions were raised. The Judge began his charge to the jury: "Gentlemen of the jury, a man who takes up a cow straying in a highway is a fool."

Another time there was a contest as to the value of some personal property which had been sold at auction. One side claimed that the auction-sale was a fair test of the value. The other claimed that property that was sold at auction was generally sold at a sacrifice. Metcalf said to the jury: "According to my observation, things generally bring at auction all they are worth, except carpets."

I once tried a case before him against the Norwich Railroad for setting fire to the house of a farmer by a spark from a locomotive. It was a warm summer afternoon when the house was burnt up. There was no fire in the house except a few coals among the ashes in a cooking-stove where the dinner had been cooked some hours before. The railroad was very near the house. There was a steep upgrade, so that the engineers were tempted to open the bonnet of their smokestacks for a better draught. We called as a wit-

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ness a sturdy, round-faced, fat old woman, who testified that she was sitting at her window, knitting, in a house some little distance away, when the train went by. She put in a mark to see, as she expressed it, "how many times round" she could knit before supper. A few minutes after she heard a cry of fire, and looked out and saw a blaze on the roof of her neighbor's house, just kindling, close to the eaves on the side where the engine had passed. She threw down the stocking and went to help. The stocking was found after the fire with the mark just as she left it. So we claimed that we could tell pretty well how long the time had been between the passing of the train and the breaking out of the fire. Judge Metcalf, who was always fussy and interfering, said: "How can we tell anything by that unless we know how large the stocking was?" The old lady, with a most bland smile, turned to the Judge as if she were soothing an infant, lifted up the hem of her petticoats, and exhibited a very sturdy ankle and calf, and said, "Just the size I wear, your Honor." There was a roar of laughter in the court-house. The incident was published in the morning paper the next day, much to the Judge's indignation. He addressed the audience when he came into court in the morning, and said: "I see the Worcester *Spy* has been trying to put a fool's cap on my head."

Judge Metcalf told me this story about Chief Justice Parsons. The Chief Justice's manner to the Bar, as is well known, was exceedingly rough. He was no respecter of persons, and treated the old and eminent lawyers quite as harshly as the youngsters. The bar used to call him Ursa Major. The Chief Justice used to look over the pleadings carefully before the trials began. It was in the time when special pleading often brought the issue to be decided into a narrow compass. Soon after the case was begun, the Judge would take the case out of the hands of the counsel and examine the witnesses himself, and give an opinion which was likely to be implicitly followed by the jury. Jabez Upham, of Brookfield, in Worcester County, Mr. Justice Gray's grandfather, once sent his office-boy to court with a green bag containing his papers, thinking there was no use in going himself. At last the leading members of the Bar in Boston got very angry, and four or five of them agreed together to teach the old chief a lesson. So they sat down to a trial in the Supreme Court where Parsons was presiding. Pretty soon he interfered with the lawyer who was putting in the case for the plaintiff, in his rough way. The lawyer rose and said: "I cannot take care of my client's rights where my own are not respected," or something to that effect. "I will ask Brother Sullivan to take my place." Sullivan, who was possessed of the case, took the place. The trial went on a little while, when something happened which offended Sullivan. He rose and said he could not go on with the case after his Honor's remark, and would ask Brother So-and-So, perhaps Otis, to take his place. This happened three or four times in succession. The Chief Justice saw the point and adjourned the court very early for the noon recess, and went to the house of his colleague, Judge Sewall, who lived out somewhere on the Neck, called him out and said: "You must go down and hold that court. There is a con*spire*acy sir." Parsons never held a *nisi-prius* term in Suffolk again.

Chief Justice Shaw used to tell with great indignation the story of his first appearance before Parsons, when a young man. There was a very interesting question of the law of real property, and Samuel Dexter, then the head of the bar, was on the other side. Parsons was interested in the question as soon as it was stated, and entered into a discussion with Dexter in which they both got earnestly engaged. The Chief Justice intimated his opinion very strongly and was just deciding it in Dexter's favor, when the existence of the young man on the other side occurred to him. He looked over the bar at Shaw and said: "Well, young man, do you think you can aid the Court any in this matter?" "I think I can, sir," said Shaw with spirit. Parsons listened to him, but, I believe, remained of his first opinion.

Judge Metcalf in the time when he was upon the bench had the credit, I do not know how well deserved it was, of not being much given to hospitality. He was never covetous, and he was very fond of society and conversation. But I fancy he

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had some fashions of his own in housekeeping which he thought were not quite up to the ways of modern life. At any rate, he was, so far as I know, never known to invite any of his brethren upon the Bench or of the Bar to visit him at his house, with one exception. One of the judges told me that after a hard day's work in court the judges sat in consultation till between nine and ten o'clock in the evening, and he walked away from the court-house with Judge Metcalf. The judge went along with him past the Tremont House, where my informant was staying. As they walked up School Street, he said: "Why, Judge Metcalf, I didn't know you went this way. I thought you lived out on the Neck somewhere." "No, sir," said Judge Metcalf, "I live at number so-and-so Charles Street, and I will say to you what I heard a man say the first night I moved into my present house. I heard a great noise in the street after midnight, and got up and put my head out the window. There was a man lying on the sidewalk struggling, and another man, who seemed to be a policeman, was on top of him holding him down. The fellow with his back to the ground said: 'Let me get up, —— d—— you.' The policeman answered: 'I sha'n't let you get up till you tell me what your name is and where you live.' The fellow answered, 'My name is Jerry Mahoney, —— d—— you, and I live at No. 54 Cambridge Street, —— d—— you, where I'd be happy to see you, —— d—— you, if you dare to call.'" That was the only instance known to his judicial brethren of Judge Metcalf's inviting a friend to visit him.

Judge Metcalf's legal opinions will read, I think, in the future, as well as those of any judge of his time. They are brief, compact, written in excellent English, and precisely fit the case before him without any extraneous or superfluous matter. He would have been a very great judge, indeed, if his capacity for the conduct of jury trials and dealing with *nisi-prius* business in general had equalled his ability to write opinions on abstract questions.

John Davis was never a judge. But a few words about him may well find a place here. He had long since withdrawn from the practice of law when I came to Worcester. He remained in the Senate of the United States until March 4, 1853. But the traditions of his great power with juries remained. I was once or twice a guest at his house, and once or twice heard him make political speeches.

My father, who had encountered all the great advocates of his time in New England—Webster, Choate, Jeremiah Mason, Dexter—used to say that John Davis was the toughest antagonist he ever encountered. Mr. Davis had no graces of oratory or of person. He was not without a certain awkward dignity. His head was covered with thick and rather coarse white hair. He reminded you a little, in look and movement, of a great white bear. But he had a gift of driving his point home to the apprehension of juries and of the people which was rarely equalled. He was a man of few words and infrequent speech, without wit or imagination. He thoroughly mastered the subjects with which he dealt. When he had inserted his wedge, he drove it home with a few sledge-hammer blows. It was commonly impossible for anybody to extract it. It was only the great weight of his authority, and the importance of the matters with which he dealt, which kept him from seeming exceedingly tedious. I remember thinking when I heard him make a speech in behalf of General Scott in the City Hall, in the autumn of 1852, that if any man but John Davis were talking the audience could not be kept awake. He spoke very slowly, with the tone and manner of an ordinary conversation. "The Whigs, fellow-citizens, have presented for your suffrages this year for the office of President of the United States, the name of Major-General Winfield Scott. I know General Scott. I have had good opportunity to acquaint myself with his character and public service. I think you may give him your confidence, gentlemen." That was pretty much the whole speech. At any rate, there was nothing more exciting in it. But it was John Davis that said it, and it had great effect upon his audience.

Mr. Davis supported General Taylor for President in 1848, thereby, on the one hand, offending Mr. Webster, with whom his relations had for some time been exceedingly strained, and the anti-slavery

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men in Massachusetts on the other. It was understood also that he had displeased Governor Lincoln at the time of his election to the Senate, Governor Lincoln thinking that Mr. Davis had taken an undue advantage of his official influence as Governor to promote his own selection. But the two united in the support of General Taylor, which led Charles Allen to quote a verse which has been more than once applied in the same way since. "And in that day Pilate and Herod were made friends together."

Mr. Davis was a careful and prudent manager of money matters, and left what was, for his time, a considerable estate, considering the fact that so much of his life had been passed in the public service. His success in public life was, doubtless, in large measure, increased by his accomplished and admirable wife, the sister of George Bancroft. She was a lady of simple dignity, great intelligence, great benevolence and kindness of heart. Her conversation was always most delightful, especially in her old age, when her mind was full of the treasures of her long experience and companionship with famous persons. Mr. Davis left five sons, all of them men of ability. The eldest has been Minister to Berlin, Assistant Secretary of State, Secretary of Legation in London, Judge of the Court of Claims, and Reporter of the decisions of the Supreme Court of the United States. Another son, Horace, has been a member of Congress, eminent in the public life of California, and, I believe, president of the University of California.

John Davis won great distinction by a very powerful speech on the tariff question in reply to James Buchanan. Buchanan was one of the most powerful Democratic leaders in the Senate, but Davis was thought by the Whigs to have got much the better of him in the debate. It was generally expected that he would be the Whig candidate for the Vice-Presidency in 1840. But another arrangement was made, for reasons which may be as well told here. The Whig Convention to nominate a president was held at Harrisburg, Pa., in December 4, 1839, nearly a year before the election. The delegates from the different States were asked to consult together and agree upon their first choice. Then they were asked to say who they thought next to the person they selected would be the strongest candidate. When the result was ascertained, it was discovered that William Henry Harrison was thought by a very large majority of the convention to be the strongest candidate they could find. He was accordingly selected as the Whig standard-bearer. A committee of one person from each State was then chosen to propose to the convention a candidate for Vice-President. Benjamin Watkins Leigh, of Virginia, was a strong supporter of Henry Clay, a man of great personal worth, highly esteemed throughout the country. The convention adjourned, and came in after adjournment to hear the report of the committee. Mr. Leigh accosted the chairman of the committee and stood with him in a conspicuous place as the delegates filed in. He inquired of the chairman what conclusion they had come to as to a candidate for Vice-President. To which the chairman replied: "You will be informed in due time." When the convention was called to order, one of the delegates from Massachusetts made a speech in which he set forth the high qualities that were desired in a candidate for this important office, and, after giving a sketch of exalted character and great capacity for the public service, he ended by declaring that such a man was Mr. Leigh, of Virginia, and proposing his name as the unanimous recommendation of the committee. Mr. Leigh was taken aback. He had been a zealous supporter of Mr. Clay. He addressed the chair, saying he was much gratified by what had been said by his friend from Massachusetts, and he hoped he might live in some humble measure to deserve the tribute which had been paid to him. But he thought that having been a zealous supporter of Mr. Clay, and having had, in some sense, the charge of his candidacy, he could not himself accept a nomination in connection with another person without exposing himself to the suspicion that he had in some way benefited by the defeat of his own candidate and leader. It was said that his embarrassment was increased by the fact that he had been seen conversing with the chairman of the committee by the members of the convention. How that is I do not know. The result was

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the nomination of Mr. Tyler, his election, his succession to the Presidency after the death of Harrison, which resulted in such disastrous consequences to the Whigs.

John Davis was a Federalist and a Whig. His sons were Whigs and Republicans always on the conservative side of public questions. His nephew, Colonel Isaac Davis, was in that respect a contrast to his uncle.

It has been charged that John Davis, by taking up the time at the close of the session of Congress by an indiscreet speech, was the means of defeating the Wilmot Proviso, which had come from the House inserted in a bill for the incorporation of Oregon as a Territory. This statement has received general circulation. It is made in Pierce's "Life of Sumner," and in Von Holst's "Constitutional History." There is no truth in it. I investigated the matter very carefully, and have left on record a conclusive refutation of the whole story in a paper published by the American Antiquarian Society.

Mr. Davis's popularity, however, enabled him to render an important service to his party at home. The Democrats in 1839 had elected their governor, Marcus Morton, by a majority of one vote by reason of the unpopularity of the law to prevent liquor-selling, known as the Fifteen-Gallon Law, which had been passed in January, 1838. They were anxious to redeem the State, and summoned John Davis, their strongest and most popular man, to lead their forces. He accordingly resigned his seat in the Senate, was chosen Governor by a large majority, and was re-elected to the Senate again the next year.

Sketches like these, made by a man who was young when the men he is talking about were old, are apt to give prominence to trifles, to little foibles and eccentricities. Let nobody think that there was anything trifling or ludicrous about John Davis. He was a great, strong, wise man a, champion and tower of strength. He not only respected, but embodied the great traditions and opinions of Massachusetts in the great days, after the generation of the Revolution had left the stage when she earned for herself the name of the "Model Commonwealth," and her people were building the structure of the Commonwealth on the sure foundations which the master-workmen of the Colonial and Revolutionary days had laid. The majestic presence of Webster, the classic eloquence of Everett, the lofty zeal of Sumner have made them more conspicuous figures in the public eye, and it is likely will preserve their memory longer in the public heart. But the figure of John Davis deserves to stand by the side of these great men in imperishable memory as one of the foremost men of the State he loved so well and served so faithfully and wisely.

The Bar of Worcester County in 1850 and the years following was a very able one, indeed. It had many men of high reputation in the Commonwealth and some of wide national fame. The principal citizen of Worcester and the most distinguished member of the Bar was Governor Levi Lincoln. Although he had long since left practice, he used always to come into the court once at each term of the Supreme Court, bow respectfully to the Bench, and invite the judges to dinner at his house, and withdraw. He filled a very large place in the history of Massachusetts from the time of his graduation at Harvard in 1802 until the close of the War in 1865. There is, so far as I know, no memoir of him in existence, except one or two brief sketches which appear in the proceedings of some local societies of which he was a member.

His father, Levi Lincoln the elder, was an intimate friend and correspondent of Mr. Jefferson, and Attorney-General in his Cabinet. He was nominated Judge of the Supreme Court of the United States by Mr. Madison and confirmed by the Senate and actually appointed, but was unable to take the office because of failing sight. He did more, probably, than any other man to organize and bring to success the political revolution in New England which followed Jefferson's accession to the Presidency in 1801. Many letters to him are found in Jefferson's published works, and there are many letters from him to Mr. Jefferson in the Jefferson papers in the archives at Washington. Some of the correspondence on both sides is enough to make the hair of the civil-service reformer stand on end. The son adopted his father's political opinions and was an enthusiastic supporter of Jefferson

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in his youth. Jefferson wrote a letter, which I think is now in existence, praising very highly some of young Mr. Lincoln's early performances. He delivered an address in Worcester, March 4, 1803, a few months after he left college, in which he proposed that the Fourth of March, the day of Mr. Jefferson's accession to the Presidency, should be celebrated thereafter instead of the Fourth of July. He says: "Republicans no longer can hail the day as exclusively theirs. Federalism has profaned it. She has formed to herself an idol in the union of Church and State, and this is the time chosen to offer its sacrifice." He sets forth "the long train of monstrous aggressions of the Federalists" under Washington and Adams; declares that they "propose a hereditary executive and a Senatorial nobility for life," and says that the "hand would tremble in recording and the tongue falter in reciting the long tale of monstrous aggression. But on the Fourth of March was announced from the Capitol the triumph of principle. Swifter than Jove on his imperial eagle did the glad tidings of its victory pervade the Union. As vanish the mists of the morning before the rays of a sunbeam, so error withdrew from the presence of truth, and the deceptions of artifice from the inquiries of the understanding. The reign of terror had passed," etc., etc. But there never was a better example of Emerson's maxim that "a Conservative is a Democrat grown old and gone to seed." As the young man grew in reputation and influence he became more moderate in his opinions. He was appointed Judge of the Supreme Court; then was elected Governor by a union of all parties in what was called "the era of good feeling"; held the office nine years; then represented the Worcester district in Congress, and withdrew to a dignified and honorable retirement from which he emerged to hold the office of Mayor of Worcester the first year of the life of the city. He was, as I remember him, the very embodiment of dignity and aristocracy. He had a diffuse and rather inflated style, both in public speaking and in private conversation. His dignity had a bare suspicion of pomposity in it. He looked with great disdain upon the simplicity of behavior of some of his successors, and their familiarity with all classes of the people. He came into my office one morning full of an intense disgust with something Governor Briggs had been doing. He said: "In my time, sir, the office of Governor of the Commonwealth was an office of dignity. The arrival of the Chief Magistrate in any town was an event of some importance. He travelled in his carriage, with suitable attendants. He appeared in public only on great occasions. But now you see hand-bills about the street giving notice that there is to be a temperance tea-party to-morrow afternoon, in some vestry or small hall. Music by the Peak family. His Excellency George N. Briggs will address the meeting. Admission, ten cents."

He accepted his position at the head of the social life of Worcester as matter of course. I remember one night, when a party was breaking up, I said to the person next to me, in some jesting fashion: "I am sorry to see the decay of the old aristocracy." The Governor, who was getting his coat at the other end of the room, overheard the remark, and called out: "Who is lamenting our decay?"

The Governor looked with great disgust upon the formation of the Free Soil Party and the anti-slavery movement. But when the war came he remained thoroughly loyal. He encouraged enlistment in every way, and measures for the support of the Government had all the weight of his influence. He was a Presidential elector, and voted for Abraham Lincoln at the time of his second election.

When Webster was first chosen Senator he refused to be a candidate for the office until it was ascertained whether Governor Lincoln would accept it. The Governor then declined, for the reason I have stated in another place. He was also offered an appointment to the Senate by Governor Washburn when Mr. Everett resigned in 1853. But it is said that he was quite desirous of being elected Senator when Mr. Davis was first chosen.

The Governor was, as just said, an example of Emerson's famous saying that a conservative is a Democrat grown old and gone to seed. He was looked upon as the embodiment of reverend dignity. His household was at the head of the social life of Worcester during his later years.

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Every family in the county was proud who could trace a connection with his. There were a few traditions in the old Federalist families like the Thomases and the Allens of a time when the Lincolns were accounted too democratic to be respectable. But they gained little credence with people in general. One day, however, I had to try a real-estate case which arose in the adjoining town and involved an ancient land-title. An old man named Bradyill Livermore was summoned as a witness for my client. He was, I think, in his ninety-fifth year. He lived in a sparsely settled district and had not been into Worcester for twenty or twenty-five years. I sat down with him in the consultation-room. After he had told me what he knew about the case, I had a chat with him about old times and the changes in Worcester since his youth, and he asked me about some of the members of the Bar then on the stage. Governor Lincoln, who had long retired, happened to be mentioned. The old fellow brought the point of his staff down with great emphasis upon the floor, and then held it loosely with the fingers of his trembling and shaking hand, and said, very earnestly, but with a shrill and strident voice like that of one of Homer's ghosts: "They say, sir, that that Mr. Lincoln has got to be a very respectable man. But I can remember, sir, when he was a terrible Jacobite."

I have given elsewhere a portraiture of Charles Allen, and a sketch of his great career. He was a man of slender physical frame and feeble voice. But he was a leader of leaders. When in 1848 he left the Whig Convention in Philadelphia, an assembly flushed with the anticipation of national triumph, declaring, amid the jeers and hisses of its members, that the Whig party was dead—a prediction verified within four years—down to the election of Lincoln, in 1860, he was in Massachusetts a powerful influence. He was a great advocate, a great judge, a great counsellor. He was in my judgment a greater intellectual force than any other man in his time, Daniel Webster not excepted. It was a force before which Webster himself more than once recoiled. I knew him intimately and was, I believe, admitted to no inconsiderable share of his confidence. But there is no space here to do justice to my reverence for his noble character.

On the whole, the most successful of the Worcester Bar, in my time, in the practice of his profession, was Emory Washburn. He was a man of less intellectual power undoubtedly than either of his great contemporaries and antagonists, Allen, Merrick, or Thomas. Yet he probably won more cases, year in and year out, than either of them. He was a man of immense industry. He went to his office early in the morning, took a very short time, indeed, for his meals, and often kept at work until one or two o'clock in the morning of the next day. He suffered severely at one time from dyspepsia brought on by constant work and neglect of exercise; but generally he kept his vigorous health until his death at the age of eighty. He was indefatigable in his service to his clients. His mind was like a steel spring pressing on every part of the other side's case. It was ludicrous to see his sympathy and devotion to his clients, and his belief in the cause of any man whom he undertook to champion. It seemed as if a client no sooner put his hand on the handle of Washburn's office-door than his heart warmed to him like that of a mother toward her first-born. No strength of evidence to the contrary, no current of decisions settling the law would prevent Washburn from believing that his man was the victim of prejudice or persecution or injustice. But his sincerity, his courtesy of manner and kindness of heart made him very influential with juries, and it was rare that a jury sat in Worcester County that had not half a dozen of Washburn's clients among their number.

I was once in a very complicated real-estate case as Washburn's associate. Charles Allen and Mr. Bacon were on the other side. Mr. Bacon and I, who were juniors, chatted about the case just before the trial. Mr. Bacon said: "Why, Hoar, Emory Washburn doesn't understand that case the least in the world." I said: "No, Mr. Bacon, he doesn't understand the case the least in the world. But you may depend upon it he will make that jury misunderstand it just as he does." And he did.

Charles Allen, who never spared any

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antagonist, used to be merciless in dealing with Washburn. He once had a case with him which attracted a great deal of public attention. There had been a good many trials and the cost had mounted up to a large sum. It was a suit by a farmer who had lost a flock of sheep by dogs, and who tried to hold another farmer responsible as the owner of the dog which had killed them. One of the witnesses had been out walking at night and heard the bark of the dog in the field where the sheep were. He was asked to testify if he could tell what dog it was from the manner of his bark. The evidence was objected to, and Allen undertook to support his right to put the question. He said we were able to distinguish men from each other by describing their manner and behavior, when the person describing might not know the man by name. "For instance, may it please your Honor, suppose a stranger who came into this court-house during this trial were called to testify to what took place, and he should say that he did not know anybody in the room by sight, but there was a lawyer there who was constantly interrupting the other side, talking a great deal of the time, but after all didn't seem to have much to say. Who would doubt that he meant my Brother Washburn?"

This gibe is only worth recording as showing the court-house manners of those times. It is no true picture of the honest, faithful and beloved Emory Washburn. He was public-spirited, wise, kind-hearted, always ready to give his service without hope of reward or return to any good cause, a pillar of the town, a pillar of the church. He had sometimes a certain confusion of statement and of thought, but it was only apparent in his oral discourse. He wrote two admirable law-books, one on easements, and one on real property. Little & Brown said his book on easements had the largest sale of any law-book ever published in this country up to its time. He was a popular and useful professor in the Harvard Law-School. He gave a great deal of study to the history of Massachusetts, and was the author of some valuable essays on historical questions, and some excellent discourses on historical occasions. He left no duty undone. Edward Hale used to say: "If you want anything done well, go to the busiest man in Worcester to do it—Emory Washburn, for example." He was grievously disappointed that he was not appointed judge of the Supreme Court when Judge Thomas became a member of the bench. A little while afterward there was another vacancy, and Governor Clifford took Merrick, another of Washburn's contemporaries and rivals at the Bar, although Merrick was a Democrat, and the Governor, like Washburn himself, was a Whig. This was almost too much for him to bear. It took place early in the year 1853. Mr. Washburn sailed for Europe a few weeks after, and felt almost like shaking off the dust of his feet against Massachusetts and the Whig party. But he was very agreeably compensated for his disappointment. During his absence he was nominated by the Whigs for the office of Governor, to which office he was elected in the following January, there being then, under our law, which required a clear majority of all the votes, no choice by the people. He made an admirable and popular governor. But the Nebraska Bill was introduced in that year. This created strong excitement among the people of Massachusetts, and the Know-Nothing movement came that fall, inspired more by the desire of the people to get rid of the old parties, and form a new anti-slavery party, than by any real opposition to foreigners, which was its avowed principle. This party swept Massachusetts, electing all the State officers and every member of the State Legislature except two from the town of Northampton. They had rather a sorry Legislature. It was the duty of the outgoing Governor to administer the oath to the Representatives-and Senators-elect. Governor Washburn performed that duty, and added: "Now, gentlemen, so far as the oath of office is concerned, you are qualified to enter upon your duties."

Governor Washburn was a thorough gentleman, through and through, courteous, well-bred, and with an entirely sufficient sense of his own dignity. But he had little respect for any false notions of gentility, and had a habit of going straight at any difficulty himself. To this habit he owed much of his success in life. A very amusing story was told by Mrs. Washburn

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long after her husband's death. She was one of the brightest and sprightliest and wittiest of women. Her husband owed to her much of his success in life, as well as much of his comfort and domestic enjoyment. She used to give sometimes half a dozen entertainments in the same week. She was never disconcerted by any want of preparation or suddenness of demand upon her hospitality. One day some quite distinguished guests arrived in Worcester unexpectedly, whom it was proper that she should keep to dinner. The simple arrangements which had been made for herself and her husband would not do. She accordingly went at once to the principal hotel of the town, in the neighborhood, and bargained with the landlord to send over the necessary courses for her table, which were just hot and cooked and ready for his own. She got off very comfortably without being detected.

Her story was that one time when Judge Washburn was Governor the members of his staff came to Worcester on some public occasion and were all invited to his house to spend the night. When he got up in the morning he found, to his consternation, that the man who was in the habit of doing such services at his house was sick, or for some other reason had failed to put in an appearance, and none of the boots of the young gentlemen were blacked. The Governor was master of the situation. He descended to his cellar, took off his coat, blacked all the boots of the youngsters himself, and met them at breakfast with his usual pleasant courtesy, as if nothing had happened.

I do not undertake to give a full sketch of Benjamin F. Thomas. He was one of the very greatest of American lawyers. But such desultory recollections as these are apt to dwell only on the eccentricities or peculiarities or foibles of men. They are not the place for elaborate and noble portraiture.

Judge Thomas was the principal figure in the Worcester court-house after Judge Allen's election to Congress in 1848. Judge Thomas did not get large professional business very rapidly. He was supposed, in his youth, to be a person of rather eccentric manners, studious, fond of poetry and general literature and of historical and antiquarian research. He was impulsive, somewhat passionate, but still with an affectionate, sunny, generous nature, and a large heart, to which malice, hatred, or uncharitableness were impossible. It is said that in his younger days he used to walk the streets, wrapped in his own thoughts, unconscious of the passers-by, and muttering poetry to himself. But when I came into his office as a student, in August, 1849, all this trait had disappeared. He was a consummate advocate, a favorite alike with judges and jurors, winning his causes wherever success was possible, and largely employed. He had a clear voice, of great compass, pitched on rather a high key, but sweet and musical like the sound of a bugle. The young men used to fill the court-house to hear his arguments to juries. He became a very profound lawyer, always mastering the learning of the case, but never leaning too much upon authorities. Charles Emerson's beautiful phrase in his epitaph on Professor Ashmun, "Books were his helpers, never his masters," was most aptly applied to Thomas. If he had any foible which affected at all his usefulness or success in life it was an impatience of authority, whether it were the authority of a great reputation, or of party, or of public sentiment, or of the established and settled opinions of mankind. He went on the Supreme Bench in 1853. Dissenting opinions were rare in the Massachusetts Supreme Court in those days. In this I think the early judges were extremely wise. Nothing shakes the authority of a court more than the frequent habit of individual dissent. But Judge Thomas dissented from the judgments of his court on several very important occasions. His dissenting opinions were exceedingly able. I think it would have been better if they had not been delivered. I think he would have been much more likely to have come to the other conclusion if the somewhat imperious intellect of Shaw had not been put into the prevailing scale. When all Massachusetts bowed down to Webster, Judge Thomas, though he respected and honored the great public idol, supported Taylor as a candidate for the Presidency. At the dinner given to the Electoral College after the election, where Mr. Webster was present, Judge Thomas shocked the meeting by saying: "Some

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persons have spoken of our candidate as their second choice. I am proud to say that General Taylor was not only my last, but my first choice." So, when Judge Thomas was in Congress, while he was as thoroughly loyal, patriotic, and brave a man as ever lived, he opposed the policies of the Republican Party for carrying on the war and putting down the Rebellion. He was thought to be inspired by a great dislike of submitting to party authority or even to that of President Lincoln. He was very fond of young men. When he was judge they always found they had all the consideration that they deserved, and had no fear of being put at a disadvantage by any antagonist, however able or experienced. The Judge seemed always to be stirred by the suggestion of an intellectual difficulty. When I was seeking some remedy at his hands, especially in equity, I used to say that I thought I had a just case, but I was afraid his Honor might think the legal difficulties were insuperable and I did not know whether I could get his Honor's approbation of what I asked. He would instantly rouse himself and seem to take the suggestion as a challenge, and if it were possible for human ingenuity to find a way to accomplish what I wanted he would do it. He preserved the sweetness and joyous spirit of boyhood to the day of his death. It was delightful to catch him when he was at leisure, to report to him any pleasant story that was going about, and to hear his merry laugh and pleasant voice. He was a model of the judicial character. It was a delight to practise before him at *nisi prius*. I have known a great many admirable lawyers and a good many very great judges. I have known some who had more learning, and some, I suppose, though very few, who had greater vigor of intellect. But no better judge ever sat in a Massachusetts court-house. Dwight Foster felicitously applied to him the sentence which was first uttered of Charles James Fox, that "his intellect was all feeling, and his feeling all intellect."

Dwight Foster came to the Bar just a week after I did. But I ought not to omit him in any account of the Massachusetts lawyers or judges of my time. He rose rapidly to a place in the first rank of Massachusett's lawyers, which he held until his untimely death. He was graduated the first scholar in his class at Yale in 1848. Before he was graduated he became engaged to a very admirable and accomplished lady, daughter of Roger S. Baldwin, Governor of Connecticut and United States Senator, then head of the Connecticut bar. This lady had some tendency to a disorder of the lungs and throat which had proved fatal to two of her brothers. Dwight Foster was very anxious to get her away from New Haven, where he thought the climate and her habit of mingling in gay society very unfavorable to her health. So he set himself to work to get admitted to the Bar and get established in business that he might have a place for her in Worcester. He was examined by Mr. Justice Metcalf, after studying a little more than a year, and found possessed of uncommon attainments even for persons who had studied the full three years and had been a good while at the Bar. Judge Metcalf admitted him, and on some other judge criticising what he had done, the judge said, with great indignation, "If he thinks Foster is not qualified, let him examine him himself."

Mr. Foster's first employment had very awkward consequences. The people in Worcester had the old Puritanic dislike to theatrical entertainments, and had always refused to license such exhibitions. But a company of actors desired to obtain a theatre for the season and give performances in Worcester. There was great opposition, and the city government ordered a public hearing of the petition in the old City Hall. Foster was employed by the petitioners. The hall was crowded with citizens interested in the matter, and the Mayor and Aldermen sat in state on the platform. When the hearing was opened, the audience were struck with astonishment by the coming forward of Dwight Foster's father, the Hon. Alfred D. Foster, a highly honored citizen of great influence and ability. He had been in the State Senate and had held some few political offices, but had disliked such service and had never practised law, having a considerable property which he had inherited from his father, the former United States Senator. He made a most eloquent and powerful appeal to the aldermen to refuse the petition, in the name of moral-

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ity and good order. He stated the deplorable effect of attending such exhibitions on the character of the youth of the city of both sexes, cited the opinion and practice of our ancestors in such matters, and made a profound impression. He then warned his hearers against the young man who was to follow him, whom, he said, he loved as his life, but he was there employed as a lawyer with his fee in his hand, without the responsibility which rested upon them of protecting the morals and good order of the city. It was very seldom that so powerful a speech was heard in that hall, although it was the cradle of the anti-slavery movement, and had been the scene of some of the most famous efforts of famous orators. Everybody supposed that the youth was crushed and would not venture to perform his duty in the face of such an attack. But he was fully equal to the occasion. He met his father with a clear, simple, modest, but extremely able statement of the other side; pointed out the harmlessness of such exhibitions when well conducted, and that the strictness which confounded innocence and purity with guilt and vice was itself the parent and cause of vice. He did not allude to his father by name or by description, but in replying to his arguments said: "It is said in some quarters," or "An opposition comes from some quarters" founded on such-and-such reasons. He got the sympathy of his audience and carried his point. And from that time nobody hesitated to trust Dwight Foster with any cause, however important, from any doubt of his capacity to take care of his clients.

He had been brought up as a Whig. But when the Nebraska Bill was passed, he became a zealous and earnest Republican. He was candidate for Mayor, but defeated on a very close vote by George W. Richardson. He held the office of Judge of Probate for a short time, by appointment of Governor Banks; was elected Attorney-General in 1860 when Governor Andrew was chosen Governor, and soon after was appointed Judge of the Supreme Court, an office which he filled with great distinction, then left the Bench to resume his practice, and died of a disease of the heart which he inherited from his ancestors. He was Governor Andrew's Attorney-General during the War, who said of him that "he was full of the fire and hard-working zeal of Massachusetts." He was the organ of the patriotism and energy of Worcester at the seat of government during the war, looking out for the interests of her soldiers, and always urging the brave and vigorous counsel. I lost a stanch friend by his death. I can sum up his quality in no better way than by the word "manliness." He never uttered an ignoble word, thought an ignoble thought, or did an ignoble act. His method of speech was clear, simple, spirited, without much pathos or emotion, but still calculated to stir and move his hearers.

I had more intimate relations with Judge Thomas L. Nelson than with any other member of the Worcester Bar except those with whom I formed a partnership. We were never in partnership. But after I went to Congress in 1869, he moved into my office until his appointment to the bench. So when I was at home we were in the same room. He had been accustomed for a long time before to employ me to assist him in important trials before the jury and in arguments before the Supreme Court. I suppose I am responsible for his appointment to the District Court, although the original suggestion was not mine. After the death of Judge Shepley, there was a general expectation that Judge John Lowell, of the District Court, would be made circuit judge. One morning one of the Boston papers suggested several names for the succession, among them that of Mr. Knowlton, of Springfield, and Mr. Nelson. I said nothing to him. But he observed: "I see in a paper that I am spoken of as District Judge." I replied: "Yes, I saw the article." Neither of us said anything further on the subject. When I got to Washington I met Mr. Devens, then Attorney-General, who said, "We shall have to appoint a district judge, I suppose. I think your friend Nelson is the best man for it. But I suppose he would not accept it." I said: "No, I don't believe he would accept it. But, if you think he is the best man for it, the question whether he will accept it ought to be determined by him, and not by his friends for him." I had no thought that Mr. Nelson would leave his practice for the Bench. But I thought it would be a very agreeable thing to him to have

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the offer. I wrote to him a day or two afterward that I thought it likely he would be offered the place. He answered by asking me, if it were to be offered to him, how much time would be given to him to consider the matter. Soon after I was informed by Attorney-General Devens that the President had offered him the place on the Circuit Bench, and that he very much desired to accept it. But he thought that, although the President had put the place at his disposal, he was very unwilling to have any change in the Cabinet, and doubted whether he ought to accept the offer unless he were very sure the President was willing to spare him. One day soon after, President Hayes sent for me to come to see him. I called at the Attorney-General's office, told him the President had sent for me, and that he probably wished to speak about the Circuit Judgeship, and I wanted to know what he would like to have me say. Devens said that he should prefer that way of spending the rest of his life to any other. But the President had done him a great honor in inviting him to his Cabinet, and he did not wish to leave him unless he were sure that the President was willing. I went to the White House. When President Hayes opened the subject, I told him what was the Attorney-General's opinion. The President said that if he could be sure that were true, it would relieve his mind of a great burden. I told him he could depend upon it. The President said he did not know anybody else whom he should be as willing to have in his Cabinet as Devens, unless I myself would consent to accept the place. He gave a little friendly urging in that direction. I told him that I had lately been elected to the Senate after a considerable controversy, and that I did not think I could in justice to the people of the State make a vacancy in the office which would occasion a new strife. I called on Devens on my way back, and reported to him what the President had said. He immediately went to the White House, and they had a full understanding, which resulted in Devens keeping his place in the Cabinet through the Administration.

It was then suggested that while Judge Lowell was a most admirable District Judge, and in every way an admirable lawyer, yet that it would be better if it were possible to get one of the leaders of the Bar, who would supply what Judge Lowell lacked—the capacity for charging juries on facts, and presiding at jury trials, and to leave him in the District Court, where his services were so valuable. The office of Circuit Judge was accordingly offered to Mr. William G. Russell. I wrote to Nelson, asking him to consider my first letter on the subject as not having been written. Mr. Russell replied, declining the place, and saying, with great emphasis, that he was sorry the President should hesitate a moment about offering the place to Judge Lowell, whom he praised very highly. But the President and the Attorney-General thought that it should be offered to Mr. George O. Shattuck, a very eminent lawyer and advocate. On inquiry, however, it turned out that Mr. Shattuck, who was in poor health, was absent on a journey, and it was so unlikely that he would accept the offer that it was thought best not to diminish the value and honor to Judge Lowell of the place by offering it further to another person. Accordingly the place was offered to Judge Lowell and accepted by him.

General Devens then said to me: "I have been thinking over the matter of the District Judge, and I think if a man entirely suitable can be found in the Suffolk Bar, that the appointment rather belongs to that Bar, and I should like, if you have no objection, to propose to the President to offer it to Mr. Charles Allen." Mr. Allen was later Judge of the Supreme Court of Massachusetts. I assented, but said: "If Mr. Allen refuses it, I hope it will then be offered to Mr. Nelson, in accordance with your original opinion." The Attorney-General agreed. The offer was made to Mr. Allen, and by him declined. When the letter of refusal came, the Attorney-General and I went together to the White House and showed the President the letter. In the meantime a very strong recommendation of Mr. Oliver Wendell Holmes, Jr., now of the Supreme Court, had been received by the President. He felt a good deal of interest in Holmes. I think they had both been wounded in the same battle. But, at any rate, they were comrades. The President then said: "I rather think Holmes is the man." I

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then gave him my opinion of Mr. Nelson, and the President said to Devens: "Do you agree, Mr. Attorney-General?" Devens said: "I do." And the President said: "Then Nelson be it." Mr. Nelson, to my surprise, accepted the appointment.

Judge Nelson was a master of equity and bankruptcy. No doctrine was too subtile or abstruse for him. The matter of marshalling assets, or the tacking of mortgages, and such things which require a good deal of the genius of the mathematician, were clear to his apprehension. He was one of the two or three men in the State who ever understood the complications of the old loan-fund associations. He was especially a master of legal remedies. He held on like a bull-dog to a case in the justice of which he believed. When you had got a verdict and judgment in the Supreme Court against one of Nelson's clients, he was just ready to begin work. Then look out for him. He had with this trait also a great modesty and diffidence. If anybody put to him confidently a proposition against his belief, Nelson was apt to be silent, but, as Mr. Emerson said of Samuel Hoar, "with an unaltered belief." He would come out with his reply days after. When he came to state the strong point in arguing his case, he would sink his voice so it could hardly be heard, and look away like a bashful maiden giving her consent. Judge Bigelow told me, very early in Nelson's career, that he wished I would ask my friend to make his arguments a little longer, and to raise his voice so the court could hear him better. They always found his arguments full of instruction, and disliked to lose anything so good a lawyer had to say. His value as a judge was largely in consultation and in his sound opinions. I suppose that, like his predecessor, Judge Lowell, he was not the very best of judges to preside at jury trials, or to guide juries in their deliberations. Indeed, Nelson had many of the intellectual traits—the same merits and the same defects that Lowell had. Lowell was a man of great wit, and a favorite with the Boston bar when he was appointed. So they made the best of him. They were not inclined to receive Nelson's appointment very graciously. It was some years before he established a high place in their confidence and esteem. But it was established before his death. Gray and Putnam and Webb, all in their way lawyers of the first class, found Nelson a most valuable and acceptable associate, and have all spoken of him in most enthusiastic terms. He was a good naturalist. He knew the song-birds, their habits, and dwelling-places. He knew all the stars. He liked to discuss difficult and profound questions of public policy, constitutional law, philosophy, and metaphysics. Sometimes, when I came home from Washington after a period of hard work, if I happened to find Nelson in the cars when I went to Boston, it was almost painful to spend the hour with him, although his conversation was very profound and interesting. But it was like attempting to take up and solve a difficult problem in geometry. I was tired, and wanted to be humming a negro melody to myself. He was a man of absolute integrity, not caring whether he pleased or displeased anybody. He had a good deal of literary knowledge, was specially fond of Emerson, and knew him very thoroughly, both prose and verse. He had a good deal of wit, one of the brightest examples of which I will not undertake to quote here. He was a civil engineer in his youth, and was always valuable in complicated questions of boundary, or cases like our sewer and water cases, which require the application of practical mathematics. He was a friendly and placable person so far as he was concerned himself, but resented, with great indignation, any unkindness toward any of his friends or household. His friend and associate, Judge Webb, after his death spoke with great beauty and pathos of Nelson's love of nature and of his old country home:

"When, in later years, he revisited the scenes of his childhood, he made no effort to conceal his affection for them; as he wandered among the mountains and along the valleys, so dearly remembered, his eye would grow bright, his face beam with pleasure, and his voice sound with the tone of deep sensibility. He grew eloquent as he described the beauty spread out before him, and lovingly dwelt on the majesty and grandeur of the mountain at the foot of which his infancy was cradled. It was high companionship to be with him

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at such times. His ear was open to catch the note of every bird, which came to him like voices of well-beloved friends; he knew the brooks from their sources to their mouths, and the rivers murmured to him the songs they sang in the Auld Lang Syne. But deep as was the joy of these visits, they did not allure him from the more rugged paths of labor and duty."

The wisdom of Nelson's selection, if it need vindication, is abundantly established by the memorial of him reported by a committee, of which Lewis S. Dabney was chairman, and adopted by the Suffolk Bar. The Bar, speaking of the doubt expressed in the beginning by those who feared an inland lawyer on the Admiralty bench, goes on to say:

"Those who knew him well, however, knew that he had been a successful master and referee in many complicated cases of great importance; that his mathematical and scientific knowledge acquired in his early profession as an engineer was large and accurate, and would be useful in his new position; that he who had successfully drawn important public acts would be a successful interpreter of such acts; that always a student approaching every subject, not as an advocate but as a judicial observer, he would give that attention to whatever was new among the problems of his judicial office that would make him their best master and interpreter, and that what in others might be considered weakness or indolence was but evidence of a painful shrinking from displaying in public a naturally firm, strong, earnest and persistent character, a character which would break out through the limitations of nature whenever the occasion required it.

"Those who, as his associates upon the bench, or as practitioners before him at the Bar, have had occasion to watch his long and honorable career, now feel that the judgment of his friends was the best and that his appointment has been justified; and those who have known him as an associate justice of the Circuit Court of Appeals have felt this even more strongly."

Another striking figure of my time was Horace Gray. He was in the class before me at Harvard, though considerably younger. I knew him by sight only in those days. He was very tall, with an exceedingly youthful countenance, and a head that looked then rather small for so large-limbed a youth—rather awkward in his gait and bearing. But after he reached manhood he grew into one of the finest-looking men of his time. I believe he was the tallest man in Boston. He expanded in every way to a figure which corresponded with his stately height. He was the grandson of the famous William Gray, the great merchant and ship-owner of New England, who was an important figure in the days just preceding and just following the War of 1812. Many anecdotes are still current of his wise and racy sayings. His sons inherited large fortunes and were all of them men of mark and influence in Boston. Francis C. Gray, his uncle, was a man of letters, an historical investigator. He discovered the priceless Body of Liberties of 1641, which had remained unprinted from that time, although the source from which our Bill of Rights and constitutional provisions had been so largely drawn.

Judge Gray's father was largely employed in manufacturing and owned some large iron works. The son had been brought up, I suppose, to expect that his life would be one of comfort and ease, free from all anxieties about money, and the extent of the labor of life would be, perhaps, to visit the counting-room a few hours in the day to look over the books and see generally that his affairs were properly conducted by his agents and subordinates. He had visited Europe more than once, and was abroad shortly after his graduation when the news reached him that the companies in which his father's fortune was invested had failed. He at once hurried home and set himself resolutely to work to take care of himself. He was an accomplished naturalist for his age and time, and had a considerable library of works on natural history. He exchanged them for law-books and entered the law-school. I was splitting wood to make my own fire one autumn morning when my door, which was ajar, was pushed open, and I saw a face somewhere up in the neighborhood of the transom. It was Gray, who had come

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to inquire what it was all about. He had little knowledge of the rules or fashions of the Law School. I told him about the scheme of instruction and the hours of lectures, and so forth. We became fast friends, a friendship maintained to his death. He at once manifested a very vigorous intellect and a memory, not only for legal principles, but for the names of cases, which I suppose had been cultivated by his studies in natural history and learning the scientific names of birds and plants. At any rate, he became one of the best pupils in the law-school. He afterward studied law with Edward D. Sohier, and immediately after his admission became known as one of the most promising young men at the Bar. Luther S. Cushing was then Reporter of the decisions of the Supreme Court. He was in poor health and employed Gray to represent him as Reporter on the circuit. Gray always had a marvellous gift of remembering just where a decision of a principle of law could be found, and his thumb and forefinger would travel instantly to the right book on the obscurest shelf in a law library. So nothing seemed to escape his thorough and indefatigable research. When he was on the circuit, learned counsel would often be arguing some question of law for which they had most industriously prepared, when the young reporter would hand them a law-book with a case in it which had escaped their research. So the best lawyers all over the State got acquainted at an early day with his learning and industry, and when Cushing soon after was obliged to resign the office of reporter Gray was appointed by the general consent of the best men of the profession, although he had as a competitor Judge Perkins, a very well known lawyer and judge, who had edited some important law-books and was a man of mature age. This was in 1854, only three years after his admission to the Bar. The office of reporter was then one of the great offices of the State, almost equal in dignity to that of the Judge of the Supreme Court itself. Four of our Massachusetts reporters have been raised to that Bench. He was quite largely retained and employed during that period, especially in important questions of commercial law. He resigned his office of Reporter about the time of the breaking out of the war. Governor Andrew depended upon his advice and guidance in some very important and novel questions of military law, and in 1864 he was appointed Associate Justice of the court. In 1873 he became its Chief Justice, and in 1882 was made Associate Justice of the Supreme Court of the United States. The extent of his learning and the rapidity and thoroughness of his research were marvellous. But it is not upon this alone, or chiefly, that his fame as one of the great judges of the world will rest. He was a man of a native, original intellectual power, unsurpassed by any man who has been on the Bench in his time, either in this country or in England. His decisions have been as sound and as acceptable to the profession upon questions where no authority could be found upon which to rest, and upon questions outside of the beaten paths of jurisprudence as upon those where he found aid in his great legal learning. He was a remarkably acceptable *nisi-prius* judge when holding court in the rural counties, and, though bred in a city, where human nature is not generally learned so well, he was specially fortunate and successful in dealing with questions of fact which grow out of the transactions of ordinary and humble life in the country. He manifested on one or two occasions the gift of historical research and discussion for which his uncle Francis was so distinguished.

Charles Devens was my partner for a few years before he went to the war, and for a short time after he came back. He was afterward Judge of the Superior Court, Attorney-General of the United States, and twice Judge of the Supreme Court of the Commonwealth. He is famous as one of the great orators of Massachusetts, as one of the very best and bravest of her soldiers, and as one of the best beloved of her citizens.

General Devens had a modest estimate of his own best powers. While he was an admirable judge, bringing to the court the weight of his great experience, his admirable sense, his stainless integrity, his perfect impartiality, his great discernment, his abundant learning, it has always seemed to the writer that he erred after the war in not preferring political life to his place upon the Bench. He could easily have been Governor or Senator, in which places the affection of the people of Massachusetts would have kept him for a

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period limited only by his own desire, and might well have been expected to pass from the Cabinet to an even higher place in the service of his country. But he disliked political strife, and preferred those places of service which did not compel him to encounter bitter antagonisms.

He was invited by President Hayes to a seat in his Cabinet. He filled the place of Attorney-General with a dignity and an ability which have been rarely if ever surpassed by any of the illustrious men who have filled that great office. The judges of the Supreme Court, long after he had left Washington, were accustomed to speak of the admirable manner in which he discharged his duties. The writer heard Mr. Justice Bradley, not long before his death, who was without a superor, if not withont a peer, among modern jurists on either side of the Atlantic, speak enthusiastically of his recollection of General Devens in the office of Attorney-General. Judge Bradley kindly acceded to a request to put in writing what he had said. His letter is here inserted:

WASHINGTON, January 20, 1891.

HON. GEO. F. HOAR:

My Dear Sir—You ask for my estimate of the services and character of General Devens as Attorney-General of the United States. In general terms I unhesitatingly answer that he left upon my mind the impression of a sterling, noble, generous character, loyal to duty, strong, able, and courteous in the fulfilment of it, with such accumulation of legal acquirement and general culture as to render his counsels highly valuable in the Cabinet, and his public efforts exceedingly graceful and effective. His professional exhibitions in the Supreme Court during the four years that he represented the Government were characterized by sound learning, chastely and accurately expressed, great breadth of view, the seizing of strong points and disregard of minute ones, marked deference for the Court, and courtesy to his opponents. He was a model to the younger members of the Bar of a courtly and polished advocate. He appeared in the court only in cases of special importance; but of these there was quite a large number during his term. As examples, I may refer to the cases of Young *v.* United States, 97 U. S., 39, which involved the rights of neutrals in our civil war, and particularly the alleged right of a British subject, who had been engaged in running the blockade, to demand compensation for a large quantity of cotton purchased in the Confederacy and seized by the military forces of the United States; Reynolds *v.* United States, 98 U. S., 145, which declared the futility of the plea, in cases of bigamy among the Mormons, of religious belief, claimed under the First Amendment of the Constitution, and established the principle that pretended religious belief cannot be accepted as a justification of overt acts made criminal by the law of the land; the Sinking Fund Cases, 99 U. S., 700, which involved the validity of the act of Congress known as the Thurman Act, requiring the Pacific Railroad companies to make annual payments for a sinking fund to meet the bonds loaned to them by the Government; Tennessee *v.* Davis, 100 U. S., 257, as to the right of a United States officer to be tried in the federal courts for killing a person in self-defence whilst in the discharge of his official duties; the civil-rights case of Strander *v.* West Virginia and Others, 100 U. S., 303–422, in which were settled the rights of all classes of citizens, irrespective of color, to suffrage and to representation in the jury-box, and the right of the Government of the United States to interpose its power for their protection; Neal *v.* Delaware, 103 U. S., 370, by which it was decided that the right of suffrage and (in that case) the consequent right of jury service of the people of African descent, were secured by the Fifteenth Amendment of the Constitution, notwithstanding unrepealed State laws or constitutions to the contrary.

In all these cases and many others the arguments of the Attorney-General were presented with distinguished ability and dignity, and with his habitual courtesy and amenity of manner, whilst his broad and comprehensive views greatly aided the Court in arriving at just conclusions. In all of them he was successful, and it may be said that he rarely assumed a position on behalf of the Government, in any important case, in which he was not sustained by the judgment of the Court. His advocacy was conscientious and judicial rather than experimental—as is eminently fitting in the official representative of the Government. It best subserves the ends of justice, the suppression of useless litigation, and the prompt administration of the law.

I can only add that the members of the Supreme Court parted with Attorney-General Devens with regret. Of him, as of so many other eminent lawyers, the reflection is just, that the highest efforts of advocacy have no adequate memorial. Written compositions remain, but the noblest displays of human genius at the Bar—often, perhaps, the successful assaults of Freedom against the fortresses of Despotism, are lost to history and memory for want of needful recordation. *Vixere fortes ante-Agamemnona*, or, as Tacitus says of the eloquent Haterius: "Whilst the plodding industry of scribblers goes down to posterity, the sweet voice and fluent eloquence of Haterius died with himself."

Very truly yours,

JOSEPH P. BRADLEY.

General Devens was a great orator. He had a rich and powerful voice of great compass and sweetness, a handsome, graceful figure; a pleasing countenance which lighted up when he was stirred by some emotion. His address to the shattered remnant of the Fifteenth Regiment, after a terrible disaster and slaughter at Ball's Bluff, and his eulogy of Grant, delivered at Worcester, in which he com-

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pared Grant to Napoleon, and contrasted the greeting that Grant would receive from his comrades who had preceded him to the other world, with that which awaited Napoleon from the victims of his wicked and selfish ambitions, deserve and will take, I am sure, a high rank in the literature of classic eloquence.

He was admirable also as an historic investigator and narrator. He carefully studied the facts. He told the story of the heroic days of the Revolution, and of the heroic days of the war for the Union with a graphic power which will give his addresses on such subjects a permanent place in our best historic literature.

Two of these speeches deserve special memory. One was delivered at New Haven at a meeting of the survivors of the Army of the Potomac, in the presence of General Grant. Devens was the orator of the day. His subject was the military career of General Meade, who had just died. Devens gave a careful and discriminating history of the events of Meade's life and of the battle of Gettysburg and the operations which preceded it. At the banquet in the evening the duty of responding to the toast, "The Common Soldier," had been assigned to another person who, a few minutes before he was to speak, had been called away suddenly, I think, by some domestic calamity. The president of the evening sent word to Devens that he must supply the vacant place. Without a moment to prepare he arose and delivered a speech of great eloquence and beauty. President Grant himself, who was no mean judge, and who had of course heard a great deal of oratory on that subject, told me it was the best speech he ever heard in his life.

The other occasion was at Bunker Hill on the centennial of the battle, in 1875. Devens was the orator of the day. He had carefully prepared an historical address. But there had been a good deal of bungling in the arrangements for the procession which formed in Boston, and the audience did not get over to the ground till quite late in the afternoon—too late for listening to a long historic narrative. Devens laid aside his prepared speech and delivered an *ex tempore* address of perhaps an hour in length, which is said, by those who heard it, to have been one of the most masterly and impressive speeches ever made on such an occasion. I believe the speech originally prepared has been printed. But I do not know whether the *ex tempore* one is preserved anywhere.

But it is as a soldier that his countrymen will remember him, and it is as a soldier that he would wish to be remembered. Whatever may be said by the philosopher, the moralist, or the preacher, the instincts of the greater portion of mankind will lead them to award the highest meed of admiration to the military character. Even when the most selfish of human passions, the love of power or the love of fame, is the stimulant of the soldier's career, he must at least be ready for the supreme sacrifice —the willingness to give his life, if need be, for the object he is pursuing. But when his end is purely unselfish, when the love of country or the desire to save her life by giving his own has entire mastery of the soul, all mankind are agreed to award to the good soldier a glory which it bestows nowhere else.

There was nothing lacking in General Devens to the complete soldierly character. He had a passionate love of his country; he was absolutely fearless; he never flinched before danger, sickness, suffering, or death. He was prompt, resolute, and cool in the face of danger. He had a warm and affectionate heart. He loved his comrades, especially the youth who were under his command. He had that gentle and placable nature which so often accompanies great courage. He was incapable of a permanent anger. He was still less capable of revenge or of willingness to inflict injury or pain.

As Clarendon says of Falkland, "He had a full appetite of fame by just and generous actions, so he had an equal contempt for it by base and servile expedients." He never for an instant tolerated that most pernicious and pestilent heresy, that so long as each side believed itself to be in the right there was no difference between the just and the unjust cause. He knew that he was contending for the life of his country, for the fate of human liberty on this continent. No other cause would have led him to draw his sword, and he cared for no other earthly reward for his service.

> O just and faithful knight of God,
> Ride on, the prize is near.

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THREE SONGS

By Josephine Daskam

I

THE PRINCE

My heart it was a cup of gold
That at his lip did long to lie,
But he hath drunk the red wine down,
And tossed the goblet by.

My heart it was a floating bird
That through the world did wander free,
But he hath locked it in a cage,
And lost the silver key.

My heart it was a white, white rose
That bloomed upon a broken bough,
He did but wear it for an hour,
And it is withered now.

II

THE SAILOR

You hold me for a day, my dear,
  I lose you for a life,
And that's the sailor's way, my dear,
  A love, but not a wife.
'Tis never I will blame you,
  'Tis not my eyes are wet,
But 'tis I that must remember—
  'Tis you that will forget.

You kiss me for a night, my dear,
  I kiss you for the years,
And that's the sailor's right, my dear,
  And life's too short for tears.
'Tis never I will stay you
  When once the moon has set,
But 'tis I that must remember—
  'Tis you that will forget.

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III

THE HUNTER

One came chasing the fallow deer
When all the wood was green,
But through my heart an arrow went
That ne'er by him was seen—
Ah, me!
That ne'er by him was seen.

One came hunting the eagle-king
When all the wood was brown,
But over me a lure was cast
That dragged my proud heart down—
Ah, me!
That dragged my proud heart down.

One came tracking the mighty boar
When all the wood was white,
But from my wound the red drops fell
That guided him that night—
Ah, me!
That guided him that night.

THE POINT OF VIEW

THE child was screaming lustily on the elevated train. Unreasonably it insisted on getting off and going home between stations. The passengers wore that look of patient endurance which so frequently overspreads murderous desires. Vainly the mother appealed to the child's regard for the suffering public, to its duty to itself in such phrases as "Folks don't like to hear a little boy cry," "Be a good child and listen to mamma." But each appeal seemed to be a stimulus to renewed vigor. At length the mother announced that doubtless there were bears at the next station that ate up little boys who cried. The youngster ceased instantly, apparently as much through interest in outwitting the bears, as through fear. He became cheerfully curious, and pressed his tear-stained face to the pane. To the afflicted passengers never was there a more pleasing prevarication. Those who had frowned, now smilingly shared the little one's interest in this alleged fact in natural history. A happy, contented air pervaded the car. The ethics of the situation distressed no one.

The Lower Motive.

But need we fear to discuss it? Here was one young child pitted against a car full of people, some doubtless bank presidents, perhaps a judge or two, estimable women going to read papers. It was a contest too ridiculous to be tolerated. Plainly the important thing was to still that one strong young throat, even if it became necessary to disturb its tender young ethical standards—for the time must come when it would learn the truth about those bears, and perhaps pause a moment or two at other of its mother's statements. But in any case the greater immediate good to a number of innocent people certainly over-

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balanced the lesser, remoter evil to one young unreasonable boy.

In instances of far greater moment the inadequacy of appeal to the nobler impulses, to the higher powers of the mind, and the efficacy of the lower motive everyone must have witnessed. If we do not willingly admit that the loftier ethical heights are for most days too wearisome to climb, and that we breathe with difficulty in that rarefied air, we discover a willingness in most people to meet on some lower plane where we can reason together. It seems to me that teachers and those persons who have charge of the conduct of others should recognize this and bring their teaching down to the average physical and mental level. What we are after is results. Life is so sweet a boon—such a fortunate arena—that whatever can make it what it was designed to be is above all the thing we want. If the higher motive fails and the lower motive succeeds, then it is the lower motive that is best. In the Philippines the children have classes in what is called "Urbanida"—that is to say, Manners on the Road, public conduct taught like arithmetic or dancing, not from the standard of morals. Politeness, which does so much to make our paths pleasant, it seems might be more cultivated if presented from a more selfish point of view. Politeness is indeed not so much what we owe to others as what we owe to ourselves. *Noblesse oblige*. Courtesy as an attribute is as becoming as might be a necktie or the color of a gown. Let me execrate the woman, but offer her a seat and take off my coat to wrap her shoulders if she is cold. Sympathy is a grace like a beautiful voice. Anger is ugly rather than wicked. Observe the distorted face, the features awry. Bravery is fine to see like a handsome carriage. Respect for the aged we all admit is a duty. But no human being can enforce respect as a duty any more than love as a duty. Love, Duty—amiable terms, but yoked they fight like a couple of street-cats. But respect for the aged as a personal quality is an attraction to be named with a good complexion and perfect teeth.

It is of course well that all these should be the outer expression of inward grace. If not, then let them be donned as a garment and worn with an eye to the mirror or the passing plate-glass window. Confucius is never weary of iterating the virtues as personal qualities which render the individual attractive. He even goes so far as to say "In killing people observe the rules of Propriety." Again, "From the Emperor down to the masses of the people all must consider this cultivation of the person as the root of everything else." We, however, who urge the lower motive, concern ourselves less with the individual than with individuals. The welfare of the greatest number is the highest good. Accordingly we demand that the individual conduct himself to this end, if necessary by appeals to his vanity, his self-esteem, or in emergencies by a call upon the bears at the station.

Economy of effort is an argument of the second place. Wastefulness in words, unhappily, does not make woful want. But the expenditure of time and force necessary to bring the working power of the higher motive to a state of efficiency, when the lower motive can not only be more speedily brought into action, but accomplish the desired result as skilfully and with less wear and tear, ought to be as conclusive in ethics as in physics.

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THE FIELD OF ART

A POSSIBLE ART-LIBRARY

HAS anyone founded, or has any great library undertaken, a collection of illustrated books? There are curious abortive attempts in that direction confused in a vague way with art-libraries of a more usual sort. That which we know commonly by the awkward compound term which has been used here twice is a collection of books about the fine arts. In the getting together of such books as those, there must needs be many volumes with pictures, and a confusion of mind seems to exist, as a result of which a Shakespeare with anybody's etchings, or anybody's book with George Cruikshank's etchings, is admitted to the collection. The original old two-volume catalogue of the imagined library for South Kensington was made up in just that way. Treatises on painting and handbooks of engravers and their works alternate with novels, poetry, and history, published with "illustrations" in the usual and more accurate sense. Moreover, these are catalogued, or rather *listed*, under the names of the artists; but certainly that was not undertaken as in the first place a library of illustrated books.

II

WHAT the future collector and ardent lover of book-illustration will think of the recent work made for photographic reproduction, and of the reproductions themselves, is so doubtful that we had better not consider it too curiously at present. Let the distinction be made clear, however, between those modern drawings in which all the parts are explained and expressed by means of the firm line—and those which are made in full light and shade for reproduction by the half-tone process. To allude to illustrations in SCRIBNER'S MAGAZINE, alone, the difference here sought to be established is that between Mr. Shepperson's illustrations to "The Diary of a Goose Girl" and, for instance, the drawings, which one may heartily admire, by Mr. Ashe in "A Procession of Umbrellas," last April. The difference is quite radical for this reason—the line work is in effect exactly that which might have resulted from the artist's drawings on the block, thirty years ago, while the other style of work is new. It is really new, not having at all the same aspect as mezzotint or aquatint or lithography—the only processes in which the line was wholly avoided and soft gradations alone put to use. And as for this new style of work, this multiplication by the photographic process-print of fully rendered drawings in chiaroscuro, drawn in India ink, or sepia, or bistre, or painted in monochrome of oil on canvas—as to all this, the difficulty is in its disagreeable, even repellant, appearance, when seen in quantity. I believe that it would be impossible to fill a shelf with the books of the new dispensation and then to find the volumes pleasant to handle, interesting to study (as little picture galleries), edifying to the student in any way.

Now it is clear that this sort of general condemnation is not going to suffice. There is too much good talent put into these "drawings for half-tone" to allow them to be useless to the present or even to future generations. In a way, we, the students, the lovers of art in black and white, shall accommodate ourselves to the new conditions; in a way, the new medium will grow familiar, and, therefore, in a way, pleasing. On the other hand, the facility of retouching and engraving by hand the half-tone "blocks" will become greater, and that which now in this extravagant community costs such an unreasonable sum of money will be feasible; so that the mechanical half-tone will gradually pass into a reproductive process, nearly as manual, nearly as independent, nearly as human, as that wonderful line-engraving of Amand Durand whose reproductions from Rembrandt and Durer took our breath away in 1870, or shortly thereafter.

III

An apology should be made for not allud-

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ing to the earlier paintings in manuscript volumes: but really the line must be drawn at some point, and it is assumed here that "book-illustration" begins with the printed book. A very early printed book with pictures is the Valturius; De Re Militari Lib. XII, printed at Verona in 1472 and reprinted with different illustrations at the same city of artistic delight, in 1483. This book and all these books have pictures very unlike those of the earlier manuscripts with miniatures: they are not decorative, they run very easily into the mere diagram. They are rather of the nature of what should give information, and on warlike matters, too, than sweet and gentle works of art of the early Risorgimento. The drawings of a catapult and a trebuchet and a row of calthrops, and a long series of schemes and devices for temporary and movable towers used by besiegers, are anything rather than artistic, clever as they are in the rendering of the idea to be conveyed; and although the occasional groups

"Of soldiers swinging the huge ram along"

are cleverly drawn, and one picture of three fully armed fifteenth-century warriors in a wagon drawn by oxen (not a *caroccio*, a mere convenience of transportation) is touching in its nearness to life; still this is not exactly a picture-book. A great step toward a renewal of artistic feeling in the book-page is taken when we reach the Dante volumes, a series of them, editions of the Divine Comedy, too numerous to be reckoned with, of which let us cite only that printed in Venice in 1481, with a running comment by Landino, in the middle of whose pages of solid prose the verse of the great poet trickles like a slender rivulet. The stream is broken by square wood-cuts of extreme interest, decorative in their treatment rather than expressional or descriptive, and this is all the more noticeable as the subject draws on from the horrors of the first division of the poem toward the Purgatory and the Paradise. Illustrations of this class, square, solidly framed little pictures, drawn in strong outline with very great feeling for the limitation of the design itself to the frame, and engraved so that there shall be no mistake about the shape of anything so far as its outer contour was concerned, were destined to last for a long time and to take many forms, but they are never more effective than in the Epistles of St. Jerome, of 1497, printed at Ferrara. Here the lines of the drawing and the subsequent wood-cut have been thin and fine, and many of the drawings are descriptive in a way. St. Jerome sits at his desk and points with a very decided finger at the tablet which bears the subject of his discourse, "Nisi Dominus edificaverit domum"; or, in an open landscape he points uphill, addressing the prettily dressed young gentleman of the time and bidding him turn his back on the City of Destruction, very clearly characterized by women's heads prying from turret windows and horned devils seen behind the battlements. No one seems to have counted up these little pictures in the St. Jerome; there is an almost infinite number of them, as it seems, and besides these pictures which serve as real "illustrations" to the text, there are five very splendid title-pages, each one seeming more striking than all the rest. In celebrity and in actual splendor, all these books pale before the great Poliphilo of 1499, and its second edition, almost indistinguishable from the first, but dated 1545. These are designs of much importance; they are stately, they are elaborate; they pretend to much, and no one yet has been found to object to their pretensions. Forty years ago, when students of art, even of architecture in its technical sense, were sent to the libraries to study the Renaissance, this book was named as one with which they must needs become familiar. It was gravely presented alongside of the treatises of Serlio and Alberti, as containing a series of studies for designs in the classical taste, as then understood by Italians. Almost comparable to the large plates of the Poliphilo are those of the *Trionfi* of Petrarch; or at least that allegory of the Triumph of Chastity, as seen in the edition of 1488.

More like a manuscript than any of these is the Processional of the Dominicans, a little quarto, printed in red and black, in 1494, with square music notes on a scale of four lines and three spaces. The pictures come at the heads of sections and chapters, being very often framed by the ornamental initial letters, and the two full-page wood-cuts are brought in to face those forms of the divine service to which they belong, exactly as in a missal of a century earlier. As a complete contrast, we have the tracts wth a frontispiece, or a headpiece to each; forms of publication which could not be but from the printing press. Brother Girolamo of Ferrara was the author of many of these thin *plaquettes*, as

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the bookbinders call them. It is he whom we call Savonarola; and his *Tractati*, his *Sermoni*, his demonstrations of doctrine are introduced with the most admirable wood-cuts. One likes the Transfiguration, with the three sleeping disciples relieved in white on the black hillside (a most logical and sensible design for wood-engraving), the strong city of Isaiah's prophecy, with its walls which are salvation, and best of all, because most ambitious in design and most realistic, the view within the Florentine church with the great reformer in his pulpit and the men and the women in two separate standing-places below, crowded together, young and old, but all carefully dressed and all attentive.

North of the Alps there was early book-illustration, less perfect in design, less beautifully composed than in Italy, but perhaps more immediately interesting. The Italian work is very often perfunctory; except indeed for its stately abstract design. The modern student is left wondering whether the illustrations, in any given case, were really drawn for the place which they occupy—so little does the text seem to lead up to them and so frequently do they reappear in other books or in other parts of the same book. The delightful Book of Agriculture by "piero crescientio cittadino di bolognia" (no capitals, if you please!) was printed in 1519; and a quite vigorous scene of threshing is given, three times—a very elegant garden with lady and gentleman occurs as often. So in that Processional named above, the spirited little cuts of a funeral and of a mass occur more than once, although, of course, where their subject is appropriate. But this is not true of the Dante illustrations. Still less is it true in such a book as the astonishing German translation of Virgil, published in Strasbourg in 1515, with what seems an infinite number of illustrations, each filling the whole or nearly the whole of the small folio page. They are often ludicrous, these singular illustrations—at least to our modern sense, based upon a more accurate knowledge of what the Latin text signifies. Thus the famous combat between Entellus and Dares, the same which Tom Moore paraphrased into a modern combat between bruisers, told in the language of the prize ring, is represented here by a most singular tournament between young heroes armed with stuffed clubs—a piece of pantomime reminding middle-aged people of the days of their youth and of the Ravel family. The German of the translation is responsible for the idea of those singular weapons; the Latin *cestus* has been rendered by "Kolben"; and it is a valuable item for the student of that curious piece of history, the mediæval interpretation of Greco-Roman story. But the book with its pictures is interesting quite beyond the rule for such things, and the appearance of the fury, Alecto, before King Latinus and his ladies is really a marvellous conception, with a spirit of Gothic art in it still. The *Horæ*, or Books of Hours, devotional books with which the sixteenth century busied itself in its early days, are rather adorned than illustrated by their little wood-cuts—they are hardly picture-books.

The later years of the sixteenth century bring with them a world of picture-making in wood-cut and this more especially in northern Europe. The energy of the Virgilian illustrations cited above is not to be found in the pious or in the historical books of a later time, but such a New Testament as that published in 1526 at Strasbourg, with many large wood-cuts, one of which tells in a brilliant fashion the story of St. Paul's shipwreck, is an illustrated book indeed! It does not appear that the Bible story has ever been given in a long series of cuts with more energy and realism. The history of the Order of the Golden Fleece by Guillaume (Fillastre), who announces himself as formerly Bishop of Tournai, is a famous good book of annals, with bold wood-cuts, some of which have been based upon drawings of great care and significance, the costume being very faithfully and minutely treated. There are nobler books than that, such as the contemporary record of the ruin of Charles the Rash of Burgundy, with splendid drawings of struggling warriors in the armor of the fifteenth century; and the record of later wars by Maximilian the First, never published until after three hundred years' lying by, and then in the remote island of the Englishmen. There is a translation of Livy into German, with a famous lot of pictures in would-be classical style. A history of that League of the Cantons, which afterwards became Switzerland, printed in Zurich in 1606, begins as it should with the creation of the world and comes down through Roman times with an immeasurable number of medals which in their turn are succeeded

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by the coats of arms of the nobles treated of in later history. But indeed the books illustrated by Roman medals are rather too numerous; it is easy to become tired of the wood-cuts by Goltzius and others, in which Roman medallions with portraits are ill drawn, caricatured, or even "faked," for there is many a sham antique among them. The prettiest of those books is that of Mazochius, dedicated to Pope Leo X, Illustrium Imagines, printed at Rome in 1517. The great Chronicles—the Nuremberg Chronicle, the Cologne Chronicle, are interesting enough, though not valuable in proportion to their general repute. The books of the period allow of a good deal of study of that curious contest which is always going on, the contest between realism and supposed dignity of design. The Vasari of 1568 with the portraits of painters and sculptors, each portrait set in a frame of modern-classic design, deserves its reputation. One should read his Vasari in that edition, checking it off by Mr. Blashfield's critical remarks. Jost Amman's study of the costumes of the clergy, with curious Latin verses, makes up a charming little octavo, printed for the most part on one side of the page only, though the earliest pages of the book proper are printed on two sides, and the accompanying paper by Franciscus Modius is also printed in the usual manner. There are also the immeasurable number of books with a single illustration, perhaps a showy title-page, perhaps a frontispiece with a more modern look, like the work of Velmatius on the Bible History, which indeed is a translation thereof into Latin verse, and has a most attractive frontispiece showing the author dressed as an humble monk, but crowned with laurel, presenting his volume to an imposing cardinal surrounded by mitred bishops.

This whole subject of the outline wood-cuts of the fifteenth and sixteenth centuries must include the consideration of the coloring by hand which was always kept in view by the designer of the illustrations in question. When one visits the show-rooms of the Bibliothèque Nationale in Paris, the most attractive room will be, to many persons, that in which are shown the splendid colored frontispieces and title-pages of big books, dating from the reigns of Louis XI and Charles VIII, and the like. Occasionally one finds in the market a single wood-cut by Wohlgemuth or Kranach or Dürer himself, elaborately colored by hand, evidently by a contemporary artist, and perhaps touched with gold, so as to resemble in all respects, except in the character of the design, a Limoges enamel. Just such coloring, simpler or more rich, is to be found in many and many an old book which, because of that supposed injury done to the virgin purity of the designs, can be bought rather cheaply. Naturally, the collector prefers the untouched pages, partly because modern taste ignores such rough and slight, and even childish, addition as the coloring of the time often was, but partly also because the sense of priority, of early and original issue, is strong in the mind of the buyer of old books, and he prefers to imagine that no one has ever handled the volume which he purchases. Still the knowledge of the subject cannot be thought complete until many of these colored illustrations have been compared and the unquestioned purpose of the artists thoroughly grasped. The outline prints were made to be painted; there's many a fine old wood-cut of which all the copies existing are painted; in the books, the painting of the "figures" was only a part of the work and the spaces left for the putting in by hand of floriated initial letters allowed of a completion of the polychromatic decoration.

IV

The self-acting curtain which falls at the end of the fourth page, each month, cuts off the farther display of curious old art in book-illustration. The seventeenth century books of topography, the eighteenth century "vignette" books and the nineteenth century wood-cuts, etchings, Punch "Studies of Life and Character," Gavarni caricatures, and the rest must wait! But the question is worth repeating—Has anyone tried to establish a library of book-illustrations—a library arranged and catalogued on the basis of the artists furnishing the illustrations and not the authors of the literary matter? Is it impracticable to have a catalogue in which books illustrated by "Dickie Doyle" shall be put under "D" without reference to who wrote the books? And those illustrated by their authors shall be entered under "Thackeray" or "Du Maurier," not because the romances are the work of those writers, but because their more or less feeble illustrations adorn their pages. RUSSELL STURGIS.

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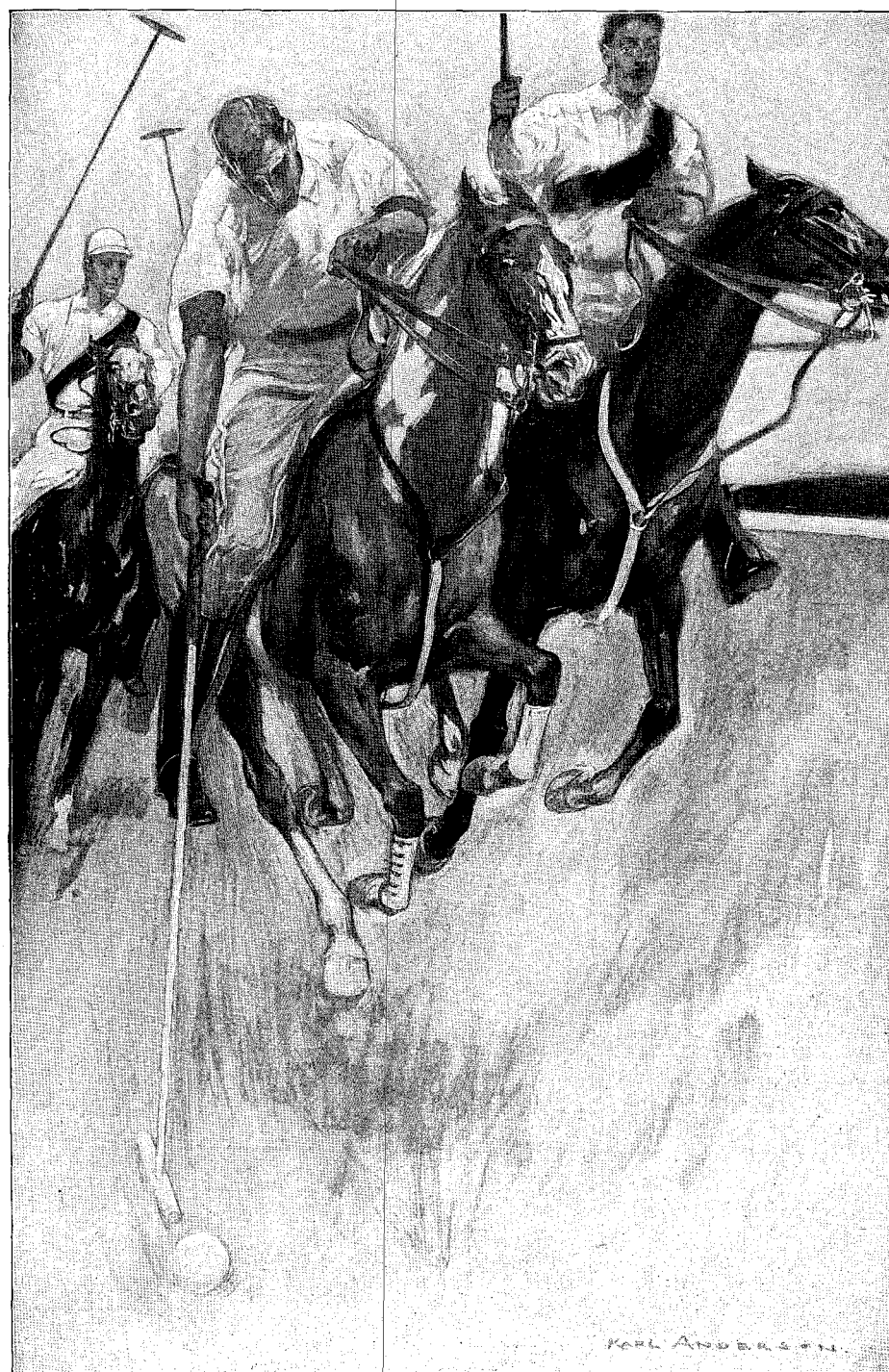

Drawn by Karl Anderson.

BEATING OUT, IN A RUN FOR THE BALL, A HALF-BLOOD ARAB MARE.

—"Keno: A Cayuse Known to Fame," page 477.

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